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BEFORE THE  
CALIFORNIA SECRETARY OF STATE  
CITIZENS REDISTRICTING COMMISSION

CITIZENS REDISTRICTING COMMISSION HEARING  
DAY 2

Held at  
Honnold/Mudd Library, Founders Room  
Claremont University Consortium  
800 N. Dartmouth Avenue  
Claremont, California

FRIDAY, FEBRUARY 11, 2011

Reported by:

Susan M. Patterson, CSR No. 2448

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A P P E A R A N C E S

CALIFORNIA CITIZENS REDISTRICTING COMMISSION:

COMMISSIONERS:

Michael Ward, Chair  
Connie Galambos Malloy, Vice Chair  
Gabino T. Aguirre  
Angelo Ancheta  
Vincent Barabba  
Maria Blanco  
Cynthia Dai  
Michelle DiGuilio  
Stanley Forbes  
Lilbert "Gil" Ontai  
M. Andre Parvenu  
Jeanne Raya  
Jodie Filkins Webber  
Peter Yao

STAFF:

Kirk Miller, Legal Counsel  
Dan Claypool, Executive Director  
Janece Sargis, Administrative Assistant  
Rob Wilcox, Communications Director

PRESENTERS:

Karin Mac Donald, Q2 Data & Research  
Sarah Rubin, Center for Collaborative  
Policy, CSUS  
Charlotte Chorneau, Center for  
Collaborative Policy, CSUS

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1 Claremont, California

February 11, 2011

2 9:07 a.m.

3 - 0 -

4 P R O C E E D I N G S

5

6 CHAIRMAN WARD: Good morning. Welcome to the  
7 February 11th, 2011 open session for the California  
8 Redistricting Commission, day two.

9 And let's go ahead and start off with  
10 roll call.

11 MS. SARGIS: Commission Aguirre?

12 COMMISSIONER AGUIRRE: Here.

13 MS. SARGIS: Commissioner Ancheta?

14 COMMISSIONER ANCHETA: Here.

15 MS. SARGIS: Commissioner Barabba?

16 COMMISSIONER BARABBA: Here.

17 MS. SARGIS: Commissioner Blanco?

18 COMMISSIONER BLANCO: Here.

19 MS. SARGIS: Commissioner Dai?

20 COMMISSIONER DAI: Here.

21 MS. SARGIS: Commissioner Di Giulio?

22 COMMISSIONER DIGUILLO: Here.

23 MS. SARGIS: Commissioner Filkins Webber?

24 COMMISSIONER FILKINS WEBBER: Here.

25 MS. SARGIS: Commissioner Forbes?

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1                   COMMISSIONER FORBES:    Here.

2                   MS. SARGIS:   Commissioner Galambos Malloy?

3                   COMMISSIONER GALAMBOS MALLOY:   Here.

4                   MS. SARGIS:   Commissioner Ontai?

5                   COMMISSIONER ONTAI:   Here.

6                   MS. SARGIS:   Commissioner Parvenu?

7                   COMMISSIONER PARVENU:   Here.

8                   MS. SARGIS:   Commissioner Raya?

9                   COMMISSIONER RAYA:   Here.

10                  MS. SARGIS:   Commissioner Ward?

11                  CHAIRMAN WARD:   Here.

12                  MS. SARGIS:   Commissioner Yao?

13                  COMMISSIONER YAO:   Here.

14                  CHAIRMAN WARD:   Thank you, Janeece.

15                         Real quickly before we start this

16 morning, just a matter of order is, on the microphones,

17 just remember that after you speak to shut them off, and

18 if you see this kind of a thing it's just reminding you

19 to shut them off. Because what happens is if two are

20 on, the third person who is speaking, their mike isn't

21 on so the audio might not be picking them up. I guess

22 that happened often yesterday. So we'll pay good

23 attention to that, and the Vice will help us point that

24 out.

25                         It's great to see so many out in the

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1 gallery today. Thank you so much for joining us and  
2 your interest in our work.

3 On January 13th the Commission passed a  
4 motion to place a five-minute time limit on public  
5 comments, so I'd like to go ahead and institute that  
6 today during today's session and at this time open  
7 microphone for public comment for agendaized or  
8 non-agendaized items. If you'd like to address the  
9 Commission please step forward to the microphone.

10 AUDIENCE MEMBER: Good morning.  
11 Commissioners. I didn't even write my notes on this one  
12 yet at this bright hour. I'm Bruce Campbell from West  
13 LA area. And, first, I thought it was a little odd  
14 comment about all the people in the gallery or galley,  
15 whatever you called it. While Claremont makes sense if  
16 one has wheels and is available in the daytime, but I  
17 hope you plan hearings more oriented so that people  
18 taking public transportation can get to the hearings,  
19 too. If I took public transportation I'd probably have  
20 to get on a bus at 4:00 a.m. and maybe Greyhound or  
21 something could get me here maybe.

22 So I mainly want to mention a few things,  
23 places I used to live. I noticed that Santa Barbara is  
24 in the same regional grouping as LA County and I know  
25 that Santa Barbara County can't stand LA County and thus

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1 probably wouldn't get much input from  
2 Santa Barbara County unless you had -- it would be good  
3 to have a hearing probably in the city of Santa Barbara,  
4 but if you don't have one in Ventura County possibly  
5 Carpinteria, but then that would get into the harder to  
6 get there by public transportation. So I urge one of  
7 these hearings in Santa Barbara.

8                   And also then there's the -- also the  
9 north coast is a distinct entity if you look at  
10 topographically and the rivers. Anyway, here's the  
11 mountains and the rivers flow to the ocean and was quite  
12 a -- it used to be a stronghold of timber and fishing  
13 industry and all, and it's quite a unique area and  
14 they're somewhat cut off. So I suggest a hearing, if  
15 not in Humboldt County, probably between Fortuna or  
16 Eureka or Arcada, but if you don't have one in Humboldt  
17 County I'd suggest looking at Willits which is a  
18 reasonable size town in the northern part of  
19 Mendocino County.

20                   And then -- I guess I haven't lived in  
21 the San Fernando Valley since I was three years old, but  
22 I realize there was something fishy in trying to avoid  
23 having a Latino district in the San Fernando Valley  
24 during the last redistricting, so either a hearing --  
25 probably a hearing in the San Fernando Valley, but at

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1     least a real good transit access from the Valley to  
2     wherever the hearing might be.

3                     So those are my main suggestions for the  
4     day. Thank you.

5                     CHAIRMAN WARD: Thank you.

6                     AUDIENCE MEMBER: Good morning. My name is  
7     Ellen Taylor. I'm president of the League of Women  
8     Voters in Claremont. And we are sending observers here.  
9     We will be not be speaking, but we will be watching what  
10    you are doing and how you are doing it. And I just  
11    wanted to explain the presence of the -- we're probably  
12    all gray-haired ladies, although we don't have to be.

13                    Thank you.

14                    AUDIENCE MEMBER: My name is John Kopp from  
15    Riverside County. I spoke yesterday but I didn't know  
16    people were going to be making their pitches, and since  
17    I'm not sure if I'm going to be able to attend one of  
18    the outreach sessions, depending on where they are, I  
19    thought I'd make my pitch today.

20                    I've read the criteria, Section 2,  
21    Article 21, of the California Constitution which gives  
22    the marching orders to the Commission.

23                    Riverside County, I did not live there  
24    when the last reapportionment took place, but,  
25    anecdotally from a number of people who have been

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1 candidates for state offices, assembly and senate as  
2 well as congress, the Commission exists precisely  
3 because deals such as took place in the year 2000 did in  
4 fact take place. For concessions obtained by one  
5 political party, other concessions were given by that  
6 same party to the other. And, as it turned out,  
7 Riverside County was volcanized. It contains six  
8 assembly districts, four state senate districts, and  
9 four congressional districts, only one of which is  
10 contained entirely within the county borders.

11 I did an analysis from the census  
12 figures, and the total US population is 307,006,550.  
13 When you divide that by 435 members of Congress, it  
14 turns out that each congressional representative should  
15 be representing seven-hundred-five-plus-thousand people.  
16 From that same census comes 2,125,440 people living in  
17 Riverside County. And when you divide that by the ideal  
18 of 705,762 people per congressional district, you come  
19 out that Riverside County as a single entity, which  
20 should be respected, should obtain, simply numerical,  
21 3.011 congressional members, and they could be contained  
22 entirely within the boundaries of that county.

23 As to the California Legislature,  
24 California's population of 36,457,549 people means that  
25 each of the senate seats should represent about 911,000

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1 people, and each assembly district roughly half of that,  
2 or 455,000 people. With Riverside County's 2,125,440  
3 people, that means there should be approximately 2.33  
4 senate seats and 4.66 assembly seats that could be  
5 accommodated entirely within the integrity of the county  
6 boundary.

7 So I appreciate the time.

8 CHAIRMAN WARD: Thank you.

9 With no one else approaching the mike,  
10 we'll go ahead and thank you for all the comments that  
11 came in this morning. The League of Women Voters  
12 actually had a really -- a well-spoken gentleman that  
13 participated in the communication subcommittee  
14 yesterday, just great comments and fantastic thoughts  
15 that he shared with us. So we certainly appreciate your  
16 participation and being here with us. Thank you.

17 And it is worth noting that our average  
18 attendance was approximately one in Sacramento, so this  
19 is a celebration because it's a 700-fold increase from  
20 normal. So that's certainly worth it. Thank you for  
21 showing up and being with us today.

22 Point of order for the Commission is we  
23 called a bid of an audible last night and in feedback  
24 that was received from the subcommittees, understanding  
25 that the two-hour allotment for briefing the main

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1 Commission might not be necessary in all cases. So in  
2 looking at it last night the thought is that we should  
3 be able to -- if you don't need that full amount of time  
4 I'd like to propose that we go ahead and push the  
5 schedule forward, which would mean that some  
6 subcommittees might present today that were scheduled to  
7 present tomorrow. And that would put us out, conclude  
8 business at approximately noon, if not slightly before,  
9 tomorrow. Are there any comments from the Commission  
10 that have concern about that?

11 COMMISSIONER DIGUILIO: Commissioner Ward,  
12 based on the original presentation, I know that Karin  
13 MacDonald has an airline flight that didn't anticipate  
14 coming in until 1:00 o'clock, so I don't know if we can  
15 be switched around, if you want to bump someone in the  
16 earlier time slot so we can remain in the afternoon time  
17 slot.

18 CHAIRMAN WARD: Thank you. That's a great  
19 comment. For those reasons we're going to leave the  
20 afternoon set as it is, but the morning might flow a  
21 little faster. So I'll be asking for flexibility with  
22 the agenda again, unless anyone has -- okay, great.  
23 We'll go ahead and move forward, then, and we'll turn  
24 the microphone over to Mr. Claypool for executive  
25 director update.

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1                   MR. CLAYPOOL: Thank you. First, and most  
2 importantly, I would like to thank the  
3 Claremont Universities for the use of this facility, and  
4 in particular John McDonald and the Claremont University  
5 Consortium Management Team for their exceptional efforts  
6 on our behalf. They've provided us with everything that  
7 we've requested, and the support for us during all the  
8 meetings is an example of how these venues should be  
9 run. They've been great.

10                               (Applause.)

11                   It's been a little over a month since I  
12 was selected by you to be your executive director, and  
13 it's been a steep learning curve. In the first interim  
14 period between the first and second Sacramento sessions  
15 my focus was on identifying the staff that we needed and  
16 interviewing them and hiring them, establishing our  
17 K Street office space in Sacramento, and creating a plan  
18 for moving towards the completion of our mutual goal of  
19 redistricting California's assembly, state,  
20 congressional, and Board of Equalization districts as  
21 Proposition 11 and 20 intend.

22                   In the second eleven days between our  
23 last Sacramento session and our meeting here in  
24 Claremont I've continued in my efforts to complete our  
25 staffing and to move towards a plan for redistricting

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1 that reflects your vision as it's been communicated to  
2 me. In doing so I've spent the last six days working  
3 with three staff members: Raul Villanueva, our office  
4 manager; Janeece Sargis, our direct aid to you, and  
5 Christina Shupe, our administrative liaison to the state  
6 agencies assisting us.

7 And I've had two full days with our chief  
8 counsel and director of communications to accomplish the  
9 following: We established a dialogue and meetings with  
10 the Center for Collaborative Policy and linked two  
11 members of the technical committee with the senior  
12 management team. We also had numerous conversations  
13 with Karin Mac Donald and the director of the  
14 Statewide Database. Together our plan for outreach and  
15 hearing input was outlined and is the topic of  
16 presentations that we're having during this session.

17 I also met with a staff person from the  
18 speaker's office and a staff person from the republican  
19 caucus, both who noted that there was joint agreement  
20 and effort to provide a statewide database and public  
21 access to redistricting software as required by  
22 Propositions 11 and 20. Both offer the full support of  
23 their respective offices to this Commission's efforts.

24 We also opened up dialogue with the  
25 Department of Finance and received instruction on how to

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1 request the current \$1 million augmentation that's in  
2 this year's budget. In that instruction I was  
3 encouraged to seek any augmentation beyond what a  
4 statement of need -- beyond that with a statement of  
5 need for the additional funds that showed what each pool  
6 of funds would pay for and in what fiscal year the  
7 expenditure would occur. The work of creating an  
8 overall expenditure plan by fiscal year has already  
9 begun with the estimation of staffing costs. As soon as  
10 the Commission gives preliminary approval of a plan that  
11 outlines the public hearing and outreach process at this  
12 session, we'll have the framework to put an overall  
13 budget in place that would be the basis of our statement  
14 of needs which will include all the elements anticipated  
15 to complete the redistricting process. Our plan is to  
16 provide the completed statement of need at the  
17 Sacramento capital session following approval of the  
18 final plan for public hearings and outreach.

19 In the week following the approval of the  
20 statement of need we intend to submit the request to  
21 release the \$1 million in the current budget from the  
22 Department of Finance, using our statement of need as  
23 the basis of justification for that augmentation. We  
24 also intend to open up a dialogue with the Legislative  
25 Leadership and with the Department of Finance to request

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1 the remainder of the funding that we anticipate needing.  
2 Again, we used the statement of needs there as the basis  
3 for those requests.

4 As a precursor to the overall plan we've  
5 requested budget information and justifications,  
6 including contingency funds from the chief counsel, the  
7 communications director, and potential primary  
8 contractors including the Department of General  
9 Services, the Center for Collaborative Policy, and the  
10 director of the Statewide Database.

11 We also have administrative staff  
12 establishing a database for staff costs, including  
13 office expenses, travel, sick leave, vacation leave, and  
14 all the different costs that go with your staff.

15 Finally, the chief counsel and  
16 communications director and staff have made inquiries  
17 about the estimated costs for vendor services, such as  
18 outside counsel, VRA attorney estimates, redistricting  
19 consultants, IT maintenance, web design, and desktop  
20 services.

21 I've begun the required policy statements  
22 for the process required by Section 8253.5 of the Voters  
23 First Act, which states the Commission shall establish a  
24 clear criteria for the hiring and removal of staff,  
25 communication protocols, and a code of conduct. The

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1 basic policy for these items will be completed in the  
2 week following this current session. With your  
3 permission, I would like to distribute them to the chief  
4 counsel and the communications director and then provide  
5 them to the designated commissioners on the finance and  
6 administrative advisory committee for review and edit  
7 prior to the Sacramento capital session. These policies  
8 will follow the Commission's procedure in hiring the  
9 current staff and will presume a similar methodology for  
10 removing staff as the need arises.

11 The communication protocol will give  
12 staff a framework in how we should communicate, both  
13 internally and with the public. It should have a  
14 refined methodology for communications with you, and the  
15 staff will work with you and from us to you during the  
16 interim periods between business meetings.

17 I'm hoping for some direction from you  
18 during this session on how we can best communicate our  
19 activities to you between sessions so that we can reduce  
20 some of the miscommunications that have previously  
21 occurred. The code of conduct will be simple and  
22 direct. Your staff should serve you in a manner that  
23 reflects their respect for your commitment to this  
24 process, and they should refrain from any action or  
25 activity that would be detrimental to your efforts.

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1                   We've also completed the hiring of the  
2 two administrative assistants, and they began their work  
3 last week following the Sacramento session. Both have  
4 settled into their respective roles, as I previously  
5 noted.

6                   The communications director began on  
7 Monday of this week and immediately contributed to our  
8 process by reaching out to the director of the  
9 Department of General Services to assist us in resolving  
10 the issue of our delegated authority.

11                  Our chief counsel began full-time on  
12 Tuesday of this week and is settling in. Prior to that,  
13 however, he assisted by providing legal counsel on a  
14 variety of issues requested by the commissioners and  
15 assisted me in clarifying meeting issues with the Center  
16 for Collaborative policy on Tuesday. A suggestion was  
17 made to me that you, the commissioners, need to have a  
18 staffing chart that clarifies the respective roles and  
19 activities of your staff. I've requested the flow chart  
20 from Raul Villanueva, your office manager, and he's in  
21 the process of completing and forwarding that document  
22 to me. I hope to have it for you prior to the end of  
23 this session.

24                  Our lack of delegated authority is  
25 hindering our procurement of material and services and

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1 our ability to make contracts, including those approved  
2 in the last session. Last week I was told that the  
3 primary -- or last night I was told that the primary  
4 issue holding up our authority is the lack of a fully  
5 trained budget officer or equivalent that would qualify  
6 to be responsible for the delegation of that authority  
7 to us. As a result, I've asked staff to specifically  
8 target retired annuitants that have the type of training  
9 and experience necessary to help us qualify for our  
10 delegated authority. I've also asked staff to request  
11 from DGS staff the typical service level and salary  
12 range for individuals with this type of experience to  
13 aid in our search.

14 In our initial search only five resumes  
15 were received. Three were qualified for interviews.  
16 One was clearly unqualified following the interview.  
17 One had the basic skills but is underqualified. And the  
18 most qualified candidate declined, stating that the  
19 amount offered for the position was insufficient.

20 In the meantime alternative means have  
21 been identified to contract for services, including  
22 interagency agreements with the CSU Sacramento to try  
23 and secure IT and non-IT services while waiting for our  
24 delegated purchasing authority. The efforts remain  
25 ongoing. In addition, we are also partnering with DGS

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1 staff for contracting and procurement. It's a temporary  
2 alternative plan while waiting for resolution to our  
3 delegated authority. This has allowed us to pursue the  
4 procurement of office supplies beyond the \$100  
5 originally allocated. It may also be an avenue for IT  
6 services and products including the purchase of badly  
7 needed software and accessing vendors for website and  
8 office IT needs.

9                   Our Sacramento office has been outfitted  
10 with computers for staff, courtesy of the Secretary of  
11 State's office, and the Secretary of State staff have  
12 completed the installation of phone lines and a fax  
13 line. Each commissioner was given a contact list in  
14 their packets that indicates the staff and commissioner  
15 contact numbers. A system for accepting and processing  
16 travel expense claims and per diems has been set in  
17 place. That will facilitate the filing and  
18 recordkeeping and intake process that we need to  
19 accommodate DGS requirements. Documentation needed from  
20 individuals to make payment has been identified, and CRC  
21 staff are in training to take the process over from the  
22 Secretary of State's office.

23                   A central calendar was developed and  
24 tested -- and has been tested and initiated with  
25 commissioner participation. Instructions for the use

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1 are being developed, and Christina Shupe of your staff  
2 has been designated as a staff person to assist you with  
3 this process. Instructions for the use of electronic  
4 calendars will be distributed to you by email. After  
5 several assurances that this service was already in  
6 place, the DGS travel website is finally capable of  
7 allowing us to book and pay for hotel and rental cars.  
8 The final travel service for airline tickets is supposed  
9 to be in place within a few days. An email will be sent  
10 to each of you explaining how to use this service as  
11 soon as we know that it's all in place for you.

12 Business card prototypes have been  
13 finalized and the costs have been identified. Templates  
14 are ready for commissioner review and will be emailed  
15 out to each of you for comment. DGS can also design a  
16 customized card with the Commission logo if the  
17 Commission is willing to pay the extra cost. A cost  
18 breakdown for the additional cost will also be provided  
19 in the prototype email.

20 We've established the 800 public line,  
21 and it's been transferred to our CRC offices, and we are  
22 now taking all public inquiries and questions directly.  
23 The volume is low at this time but it will pick up when  
24 we start taking public comment. Staff augmentation may  
25 be necessary to cover the phones and the website

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1 comments if the volume accelerates to the point where  
2 our current staff member can't keep up with the response  
3 and perform their primary duty. We have discussed the  
4 provision of student interns and volunteers with CSU  
5 Sacramento's employment service as a low-cost  
6 alternative to covering these responsibilities.

7               Blackberries are also -- are almost  
8 available, and the Secretary of State's office is moving  
9 quickly to purchase the phones and place a maintenance  
10 and service agreement in place to manage this resource.  
11 We anticipate that the phones will be available to those  
12 of you who requested them by the first of next week. We  
13 will provide them to the commissioners once we determine  
14 a feasible way to deliver the phones.

15               So this is all the things that have been  
16 done in the last eleven days on your behalf. I will --  
17 I promise that I'm going to set in place a process for  
18 making sure that you know what we're doing in the  
19 interim in the future, because I realize that there was  
20 probably a lot of concern that maybe we were asleep back  
21 there, but we weren't.

22               Some of the impediments, as a recap, that  
23 have really stood in our way has certainly been the lack  
24 of staff from January 24th through the 31st, not getting  
25 our computer phone lines in place until January 26th,

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1 the procurement -- the \$100 procurement limit. And our  
2 inability to purchase IT services has hurt. And  
3 numerous issues with Google apps have been a problem to  
4 us. But the Secretary of State's office continues, I  
5 have to say continues to be an instant resource to us  
6 whenever we need them, and they've been great.

7 I have at this time four recommendations  
8 that I would like the Commission to consider. I'd like  
9 to end the 24-hour turnaround for stenography services.  
10 During the prior session we missed this 24-hour  
11 turnaround for posting on two occasions and no one  
12 complained that it hadn't been posted within the 24-hour  
13 period. The Secretary of State's office simply was  
14 unable to post them up in that time. If we drop back to  
15 a five- to seven-day posting we can reduce the cost by  
16 almost one half, and those costs are significant to you.  
17 Right now we pay about \$10 a page. Yesterday we had  
18 about 300 pages worth of transcription. So it's just a  
19 significant reduction in our costs if we can do that.

20 I would also like to recommend that we  
21 continue live-streaming to the extent possible but  
22 accept venues where live-streaming can only be done from  
23 one meeting or not at all, which is the case here. In  
24 the cases where we can't live-stream we can post the  
25 video of the hearing as soon as practicable and provide

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1 a link to the venue similar to the one provided by the  
2 live-streaming venues. We could also post the  
3 circumstance on our website to alert viewers to this  
4 issue. But we are going to run into places where  
5 they're not going to be able to live-stream two meetings  
6 at once, and I believe we will run into venues where  
7 they may not be able to live-stream at all because they  
8 won't have the broadband for it.

9 I'd like to end the paper copies on the  
10 public comments to the commissioners, and I believe you  
11 are already going online to look at the public comments.  
12 In its place we will always link you to our website  
13 where the comments have been swept and cataloged for  
14 your review. This is going to be particularly important  
15 as we have greater participation in our meetings, where  
16 physical copies of these comments will be problematic or  
17 impossible given the volume. The transition to a  
18 paperless system will be easier if we initiate it now  
19 while the volume is relatively light.

20 Finally, I'd like you to consider giving  
21 me the authority to increase the wage scale for the  
22 allocated budget officer position to reach a level of  
23 pay sufficient to attract an individual that will meet  
24 the Department of General Services requirement. I hope  
25 to have the information as to what this level will be

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1 before the end of this session, but we need that  
2 delegated authority in place. And if the only issue is  
3 that we have to have somebody with the requisite  
4 training and knowledge that they require in order to  
5 push that button, I think that is something that will  
6 pay huge dividends.

7 Thank you.

8 CHAIRMAN WARD: Any questions from the panel?

9 COMMISSIONER BLANCO: Yes. I really  
10 appreciate all the cost saving.

11 I had one question on your recommendation  
12 about going to a five-day posting of the transcripts  
13 instead of a 24-hour turnaround. I don't know if this  
14 is a question. I think that makes sense now but perhaps  
15 we come back and revisit it as we get to the point where  
16 we're taking comments about -- when we go back out,  
17 present maps and receive comments. Those sessions,  
18 we're going to be turning things around very quickly,  
19 and in order to maximize public participation we may  
20 want to go back to 24-hour posting. So that's just one  
21 thing. I don't know what my fellow commissioners think  
22 about that, but I'd like to keep some flexibility there.

23 COMMISSIONER GALAMBOS MALLOY: A similar  
24 question. There's such a dramatic difference between 24  
25 hours and seven days so I was also wondering what would

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1 be the cost savings with a 48-hour turnaround time. Are  
2 there any kind of incremental options we could consider?

3 MR. CLAYPOOL: Absolutely. And the difference  
4 with the Sacramento costs -- and I can't speak to the  
5 cost here -- but the difference in the Sacramento costs  
6 were, if we went to, say, 48 hours they would drop to \$9  
7 a page, and if we went to three to five days it would  
8 drop to some figure approximating \$7, and then if we  
9 went to five to seven it would drop to like \$5 a page.  
10 This is always an option for us to reconsider and to  
11 step back up to it. If we start getting comments from  
12 individuals that it's just not convenient or if you  
13 start looking for those transcripts and it's not helpful  
14 to have this policy, we can take the cost back on and we  
15 can make it -- what I would recommend in this case,  
16 however, is that we plan a contingent fund as we budget  
17 for what we're going to do to accommodate that increase  
18 if we need it, again, under the theory that no one is  
19 going to care if we give the money back, but they will  
20 have an objection to giving us the money when we need it  
21 at that time.

22 COMMISSIONER YAO: Do we know who the users of  
23 these transcripts are? Do we know who the  
24 transcripts of these -- I'm sorry. Do we know who the  
25 users of these transcripts are?

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1                   MR. CLAYPOOL: We have some indication that  
2 certainly -- certainly the users are in this room  
3 because most of the people who are involved with  
4 watching us, as well as yourselves, will go back to the  
5 transcripts periodically to ensure that they've  
6 understood a point, or when we've gone back to make sure  
7 we knew how we voted. And it's much more convenient  
8 than going to the video streaming, which, as I've been  
9 told, has no fast forward function on it, so if you want  
10 to remember something you've got to go through the  
11 entire process.

12                   But we don't have any mechanism for  
13 tracking who is actually going onto that website and  
14 reading these transcripts, other than those individuals  
15 who have written to us and have either said, "The  
16 transcripts are very helpful to us" -- and there haven't  
17 been a lot of comments, but we received those -- and  
18 those individuals who have come on and said there was an  
19 error, or we think there's an error, and that was in one  
20 case where there was a clarification and we went back to  
21 the transcriber and we made that change. It wasn't a  
22 major error. It was an attribution to one commissioner  
23 where it had actually been another commissioner that  
24 made the statement. We reviewed the video and then we  
25 made the change. So that's what we know as far as who

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1 is using the transcripts.

2 COMMISSIONER YAO: When I heard the cost at  
3 yesterday's transcript cost of \$3,000, I don't know  
4 whether there's a simpler process of doing it. Perhaps  
5 putting markers on the video and maybe coming up with  
6 post-meeting discussion topic or agendas that would  
7 allow us to get back to the video as a long-term  
8 solution as compared to the transcript, because the  
9 video audio by far is the permanent record, is the  
10 actual record as compared to the transcript itself.

11 MR. CLAYPOOL: The one comment I would make,  
12 Commissioner Yao, to that is that our meeting minutes  
13 are very succinct, because we have the transcripts and  
14 so we use that as the official record of what's occurred  
15 here and then we reference our meeting minutes to that.  
16 And we do have a lot of individuals -- I should say it's  
17 a perception that we have a lot of individuals who will  
18 go to the transcripts because it's easier to see what's  
19 occurred at a certain point. So it does have a function  
20 that the Commission has to consider in the long term.  
21 It is a major expense but it provides a point of  
22 clarification to the public that I think is appreciated.

23 COMMISSIONER FORBES: Is it possible to add to  
24 the video the ability to fast-forward it and bookmark it  
25 as Peter has suggested?

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1                   MR. CLAYPOOL: I don't know that, and that's  
2 something that we'll look into and do or find out what  
3 that cost is. But that will be the issue: Will the  
4 incremental cost of adding that service be more than the  
5 incremental cost of having transcripts.

6                   COMMISSIONER FORBES: Sure, but we cut the  
7 transcript cost by a factor of half. It would eliminate  
8 the need for the 24-hour turnaround. We could still  
9 have the five-day turnaround. But as far as if someone  
10 wanted instant recall, if we're able to bookmark it and  
11 to fast-forward it, we could ask them to use the video.

12                  MR. CLAYPOOL: We're making a note and we'll  
13 find out what it costs.

14                  COMMISSIONER DAI: Yeah, I think this is a  
15 technology problem. It's actually pretty easy to solve  
16 and it should be a lot cheaper. So I think if we as a  
17 Commission can agree that if the video can be more  
18 manageable and that becomes our permanent record, let's  
19 save the cost on the transcripts.

20                  COMMISSIONER BARABBA: I would only add that I  
21 wouldn't use the current interest in the records today  
22 to what it might be a month from now, because as we get  
23 closer and closer and start revealing direction, the  
24 interest and the specificity of the comments will become  
25 of much higher interest. We should not remove something

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1 that we can't later add in.

2 CHAIRMAN WARD: Mr. Claypool, there was an  
3 issue about having the transcript certified before  
4 they're posted. I understand that the transcripts were  
5 being posted without some kind of certification mark or  
6 seal or something like that that actually makes them an  
7 official record. Is that something that you're aware of  
8 or that you've looked into?

9 MR. CLAYPOOL: As I understood it, there was  
10 an issue that at least one transcript had been posted  
11 up. We pay for the certification, so I believe that was  
12 simply an error in not placing that certification on the  
13 document. It wasn't that we had placed an uncertified  
14 document on it. It was a procedural issue, as I  
15 understood. But I'd like to check with the staff in  
16 Sacramento and come back to you with more information on  
17 that as well.

18 COMMISSIONER YAO: Shall we put this  
19 transcript issue to bed? I think for the time being I  
20 can live with the five-day turnaround as compared to the  
21 24-hour turnaround, and I think we're at liberty to  
22 increase, or shorten the turnaround if we feel that five  
23 days is too long. So that's my preference at this point  
24 in time.

25 CHAIRMAN WARD: Is that a motion?

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1                   COMMISSIONER YAO: I will move that we follow  
2 our executive director's recommendation to increase the  
3 turnaround time from 24 hours to five days at this point  
4 in time.

5                   COMMISSIONER FORBES: Second.

6                   CHAIRMAN WARD: Can I amend that motion to a  
7 five- to seven-day turnaround?

8                   COMMISSIONER YAO: Yes.

9                   CHAIRMAN WARD: Okay. So having heard that  
10 seconded, we'll go ahead and just do a hand vote, after  
11 we open it to public comment.

12                               Is there any public comment regarding  
13 transcription turnaround time?

14                   AUDIENCE MEMBER: Yeah. I use it quite  
15 frequently on my computer to search, find out, no  
16 disparagement intended, but what the rascals are doing.  
17 And my particular search engine allows me to search for  
18 particular words, "vote," so on, so I can speed through  
19 and find what I want. So does my -- when I view it on  
20 the web the ability to fast-forward is there, but I  
21 think that's a vehicle of my search engine as opposed to  
22 the Commission's webcast.

23                               I seriously would object to a five- to  
24 seven-day turnaround. I could live with 48 or maybe  
25 even 36 hours as a member of the public, but I think

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1 going five to seven days is far too long.

2 John Kopp, my name.

3 CHAIRMAN WARD: Thank you.

4 AUDIENCE MEMBER: Hi, Kathay Feng with  
5 California Common Cause. Good morning.

6 We have actually been talking with a  
7 number of organizations about the right balance between  
8 providing greater public involvement and transparency  
9 but also, frankly, trying to keep the costs down. And  
10 we think that the current proposal to consider a  
11 five-day to seven-day turnaround is a sensible one,  
12 given the fact that you are going to have live-streaming  
13 or audio available that is not only available at the  
14 time that the Commission is meeting but immediately  
15 available on the web for people to peruse if they want  
16 to go back and look for the testimony, since all the  
17 information that you need is there. It's a matter of  
18 making it more easily searchable. So I think it makes  
19 sense to put some bookmarks in and also provide the  
20 minutes as quickly as possible. But we think this is  
21 the right balance.

22 We also want to take heed, though, of the  
23 correct suggestion from Commissioner Blanco that there  
24 are different phases of input. And while it may feel  
25 like there are not a whole lot of people listening

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1 during the business phase of the Commission, as you all  
2 go into the input phase where you're listening to people  
3 testify about their communities, you're going to have a  
4 lot of hearings and there will be a lot more people, I  
5 hope, in the hearings. But that's also acceptable, I  
6 think, to have pure audio or pure video in the quick  
7 turnaround phase.

8                   And then as you move into the next phase  
9 where maps, draft maps are presented and people are  
10 commenting, I think that's where you most need to have a  
11 quicker turnaround for the stenography transcripts,  
12 particularly because you're going to need to go back to  
13 those written words and figure out if the maps are  
14 reflecting what communities have asked for. That  
15 becomes a tool that is as much useful for the  
16 Commissioners as it is for the public.

17                   So we agree with the current proposal,  
18 and thank you for giving it some very serious  
19 consideration.

20                   CHAIRMAN WARD: Any further panel discussion?

21                   Okay, at this point the motion, as I  
22 understand, on the floor is to propose to move the  
23 turnaround time for the transcripts to five to seven  
24 days, subject to further review at another time. So all  
25 in favor, raise your hand and say "aye."

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1 COMMISSION MEMBERS: Aye.

2 CHAIRMAN WARD: All opposed?

3 And abstain?

4 Okay, so it is.

5 Mr. Claypool, I was unclear in your  
6 live-stream comments. In discussing it, we can just do  
7 one, a meeting at a time live-stream? And, for example,  
8 this week, doing subcommittee meetings, we were able to  
9 tape those and we'll post those to the site at a later  
10 time. Were you asking for -- you brought that up as a  
11 point that needed consideration.

12 MR. CLAYPOOL: Yes. And this venue is a  
13 perfect case in point. You know, this is a  
14 state-of-the-art university and they can only give us  
15 during your subcommittee meetings live-streaming from  
16 one venue. As we start moving out into places where the  
17 venues may not be able to provide any live-streaming,  
18 then I think that we don't want to eliminate those  
19 venues as possible places for us to have our meetings.  
20 We just have to be able to inform the public that in  
21 this particular case we're going to have to go with  
22 videography and then posting it up within 24 hours.

23 My recommendation would be that we -- you  
24 know, ahead of that event, because we're going to try to  
25 get ahead of the curve as far as we possibly can on

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1 Letting the public know when we're going to have these  
2 events, that, when we knew, we could post it with it  
3 that you won't be able to get this live-streaming. But  
4 we will try to meet that 24-hour, as practicable, link.  
5 And I just wanted concurrence that we were all in  
6 agreement that that's the way we wanted to progress.  
7 Otherwise, as we start talking with those individuals  
8 who will be planning our venues, it would require me to  
9 say, "If you can't give us live-streaming then we can't  
10 consider you," and I don't think that's what we want.

11 COMMISSIONER DAI: So I just wanted to remind  
12 the Commission we had extensive discussion about this  
13 before and we were in general agreement that as long as  
14 we had audio as a minimum that -- we would try to get  
15 live-streaming whenever possible, but as long as we have  
16 audio that would be fine. So unless there's a change in  
17 that, I think that we would concur.

18 COMMISSIONER GALAMBOS MALLOY: And I think the  
19 sentiment behind that conversation that we had was that  
20 the technology is really designed to be an enabler, and  
21 we don't want it to be a barrier for us to be able to go  
22 to places where redistricting hasn't reached before. We  
23 want it to be a way that we can get out as much as  
24 possible. So I concur with Commissioner Dai's comments.  
25 I think we're clear on that.

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1 CHAIRMAN WARD: Good enough, Mr. Claypool?

2 MR. CLAYPOOL: Absolutely.

3 CHAIRMAN WARD: Okay. Mr. Claypool, I was  
4 wondering when did you expect -- did you have any kind  
5 of projection as to when we might have that budget  
6 position filled? I understand it's been reopened  
7 already. It's a currently open position?

8 MR. CLAYPOOL: Yes, it is. And because we've  
9 advertised it we don't have to, as I understand it, go  
10 back through the seven-day process for letting it.  
11 We're holding it with the Secretary of State's office as  
12 an ongoing position to be filled, and then we'll take  
13 the applications.

14 Besides going to the list of retired  
15 annuitants, who really will be our best source of a  
16 person for this position, we've asked the Department of  
17 General Services whether they have any names of retired  
18 annuitants they might use that they would recommend,  
19 because we thought that this would streamline the  
20 process for putting somebody in place that would meet  
21 their qualifications, given that they made the  
22 recommendation that we hire them. So we're working on  
23 that.

24 The one individual who did apply that  
25 declined for the position because of the salary

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1 structure I believe may come back and, if we can  
2 increase it to that level that we would get a  
3 recommendation from the Department of General Services  
4 on this is the level of salary that would be  
5 commensurate with this position, then may agree that  
6 that's sufficient to come aboard. And that individual  
7 is very qualified. The only issue would be making sure  
8 that she's current in her training, although, as we  
9 understand it, if her training is behind she can take  
10 that online.

11 So that's our approach, and that's where  
12 we're headed, but that's what we need. And that was  
13 only communicated by way -- to us yesterday after about  
14 three weeks of saying, "What do we need to do?" "What  
15 do we need to do?" So we finally have what we believe  
16 is a clear path. But we will continue to also look for  
17 other alternatives to procuring while we wait to put  
18 that person in place.

19 COMMISSIONER DAI: Dan, I was just wondering  
20 if -- there was some concern that was expressed at our  
21 meetings back in Sacramento last month about where the  
22 position has been posted, and I just wanted to clarify  
23 if it had been shared with the partner organizations.  
24 And maybe you can just go through where that position  
25 has been advertised.

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1                   MR. CLAYPOOL: We -- and in fact yes, the  
2 concern was that we had only gone through the standard  
3 State, you know, position of going to the State  
4 personnel board and posting it. Now, that has always  
5 been a sufficient manner for finding statewide labor, or  
6 intra-statewide. But in this particular case we went  
7 back to our persons of interest list and sent that  
8 position out through that so that we reached every  
9 organization that has shown an interest in our endeavor  
10 and said, "If you know of anybody that is qualified for  
11 this position we would like to hear." That is how we  
12 received the name of the one individual who said -- who  
13 was infinitely qualified but declined on the basis of  
14 salary. We received it through that process and we  
15 would do that again.

16                  COMMISSIONER YAO: I wish the Chair to  
17 consider tasking the finance and administration  
18 subcommittee in working with staff to address this issue  
19 as compared to addressing this issue as an entire  
20 Committee (sic). I think we can tackle the problem and  
21 report back to the Committee (sic) in very short order  
22 on this.

23                  CHAIRMAN WARD: I believe that's been tasked,  
24 correct, already? Yes.

25                         Just being that it was part of his

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1 report, I just wanted to know where we were at in the  
2 status of having that posted and where it's at.

3 COMMISSIONER YAO: Okay.

4 COMMISSIONER ANCHETA: Well, Dan, I think  
5 you're suggesting that the Commission grant you some  
6 authority to basically seek an increase in the scale,  
7 correct? And that may be to attract this particular  
8 candidate or others that may be looking at a higher  
9 range. Is that basically what you're asking the full  
10 Commission to do?

11 MR. CLAYPOOL: I am. That was my original  
12 request, was to allow me to move up in this scale. But  
13 as I've sat talking with Kirk here just in passing, also  
14 the only other issue we have with this is, if we  
15 identify this candidate, then we have the issue of  
16 putting them into place. Previous to this it's required  
17 a full vote of the Commission to place a person onto our  
18 staff. The next time we're going to have that full  
19 Commission is going to be in Sacramento. So if we  
20 identify this person this week and we still couldn't put  
21 them in place until they got to Sacramento, I don't know  
22 if there is a way to have them work in good faith. I  
23 don't know. But I'll identify that and I'll work  
24 through the finance committee to -- as I identify those  
25 options.

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1                   COMMISSIONER DAI: Kirk, I have a question  
2 about whether there is any provision that allows us to  
3 vote by email as long as we have the information we  
4 need?

5                   MR. MILLER: This is a difficult requirement  
6 that the statute has given us with respect to what ought  
7 to be an ordinary-course issue. But let me consider  
8 that. I'm concerned that we may run into the notice  
9 requirements of a meeting if we have a vote even on what  
10 is a rather perfunctory item of choosing a staff person.  
11 But it does look like we're kind of locked in as I read  
12 this language this morning.

13                  COMMISSIONER DAI: Okay. Because I believe we  
14 have staffing as an ongoing item on all of our agendas.  
15 I understand it's probably a place issue, then, right?

16                  MR. MILLER: I think it is properly noticed,  
17 so I'm not concerned about it being noticed for the next  
18 meeting, but rather the problem would be voting in  
19 between meetings.

20                  COMMISSIONER RAYA: Excuse me. I have a  
21 question. Maybe this is for Kirk. I just want to be  
22 sure I understand two issues that are coming together  
23 here. If we are -- if we increase the salary for this  
24 position, then -- but we're still talking about -- I  
25 have a little concern about then we're talking about one

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1 candidate and not opening the opportunity to others who  
2 might not have had interest until you increase the  
3 salary.

4 MR. CLAYPOOL: No. And if I was unclear, this  
5 position is open right now and we're seeking any  
6 qualified individual that can meet those specifications.  
7 We have that one individual who I believe would have  
8 those qualifications, and if that person then said this  
9 is sufficient, her application would just become one of  
10 the applications that we would consider within a certain  
11 range, and then we would make that decision.

12 It was just comforting that we had that  
13 one individual out there and that the only impediment  
14 appeared to be salary, but it doesn't mean it would be  
15 the only person we consider.

16 COMMISSIONER AGUIRRE: Just a couple of  
17 questions of clarification for myself. We're talking  
18 about authorizing you to raise the salary to attract  
19 other applicants and to post that. So that would be one  
20 of the questions, and that's what you're asking for.

21 The other is that if we were to give you  
22 that authorization, say today or by tomorrow, then there  
23 is still need to be that posting that you mentioned, in  
24 which case we would not be selecting an individual. And  
25 this is where the email vote suggestion comes in, right?

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1 Because it needs to be approved by the final Commission.  
2 So my question is, if we give you that authorization  
3 even by tomorrow, you will not be able to get a budget  
4 officer until our next meeting in a couple of weeks  
5 because of posting requirements. Is that correct?

6 MR. CLAYPOOL: Yes, on both counts. I'm  
7 asking for the increase in salary, but unless there's  
8 some mechanism that we can put in place in between, we  
9 are stuck with the fourteen-day noticing period and  
10 meeting again in full Commission, and after that the  
11 only other alternative I can think of is if there's some  
12 way to put somebody in on an interim basis, but I think  
13 we still run kind of acropper of the initiative.

14 COMMISSIONER AGUIRRE: So let's say that we  
15 move forward with that by tomorrow, that you post that,  
16 you select an individual. Is there a way of doing a  
17 short-term contract with that individual to begin to  
18 provide those services in anticipation that we will have  
19 an affirmative vote on the part of the Commission on the  
20 individual that you have selected?

21 MR. MILLER: I don't know the answer to your  
22 question for sure. I wish there were an analogue to the  
23 simplicity that business enjoys in terms of being able  
24 to nimbly put in place the services that it requires to  
25 conduct its core business. And very typically the State

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1 does not have provisions that permit that expeditious  
2 use of resource.

3 And I don't know the exact answer, but my  
4 inclination is that we would have to work very carefully  
5 through a State process to see if we could attain, on an  
6 interim basis, as essentially an independent contractor  
7 those services, subject to later confirmation in the  
8 employment status of the individual. I think it's a  
9 good idea. We will look into that, but I can't say how  
10 it will come out presently.

11 COMMISSIONER AGUIRRE: I might add that one of  
12 the reasons that we hired you is because of your  
13 nimbleness.

14 MR. MILLER: The spirit of nimbleness.

15 COMMISSIONER BLANCO: Yes, I was thinking  
16 along similar terms. A couple of meetings ago we  
17 approved authority under 50, right, for special  
18 contracts, subcontracts, purchasing. So I would like us  
19 to explore the possibility of some potential consultant  
20 contract, and then we could come back for a vote on a  
21 permanent staff position.

22 MR. MILLER: Well, why don't we go ahead and  
23 do that, provide us that authority subject to our  
24 confirmation that we can actually use it.

25 COMMISSIONER BARABBA: I can bear with that.

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1                   COMMISSIONER GALAMBOS MALLOY: Dan, an  
2 additional question on this. I'm under the assumption  
3 that having some additional budget officer capacity  
4 behind you will be the only way we're able to have a  
5 draft finance narrative or needs statement between now  
6 and our Sacramento meeting; is that correct?

7                   MR. CLAYPOOL: No. It was -- my original  
8 intention for this, my primary intention was to give us  
9 that ability to put together this statement of needs  
10 that we need to go forward to to the legislature and to  
11 the Department of Finance. But we're capable of putting  
12 that statement of needs together with the staff we have  
13 right now. What we will do with it is we will put it  
14 together from the information we gather right now.  
15 We'll have the final conclusion, and then that person  
16 should be on board by then to oversee what we've done  
17 and make the final adjustments to it.

18                   If that weren't the case, however, there  
19 is the services of a very knowledgeable individual that  
20 has worked with the largest contract through Department  
21 of General Services that they've ever had, was offered  
22 to us out of the senate office, and we would run our  
23 statement of needs past that person as an alternative.  
24 So we have the means to go to someone who can look at  
25 our plan and say, "You need more here; you need more

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1     there."   It would have just been easier to construct  
2     with this individual.

3                     And to Commissioner Raya, I just received  
4     an email from our staff that we have three individuals  
5     who have been recommended who will be in on Monday to  
6     interview, and we're trying to contact that fourth  
7     person.   So clearly once the prospect that we might be  
8     able to elevate the salary range was put in play, it  
9     gave us a wider pool.

10                    COMMISSIONER YAO:   In light of the tight  
11     schedule that we're facing and in light of the fact that  
12     lack of a budget officer is impacting our ability to put  
13     together the additional funding requests, I think it  
14     will be wise for us to go ahead and give the director  
15     the approval to increase the salary range.   We can  
16     always look at all the candidates and make a decision,  
17     even with the increase in salary, in terms of selecting  
18     the candidate at a later date.   But in light of the fact  
19     that we have such urgent needs, I think we're perhaps  
20     penny-wise and pound-foolish in terms of trying to  
21     manage the budget in that manner at this level.

22                    So let me try to float a motion saying  
23     that approve the executive director's wish to increase  
24     the salary range and post it immediately and solicit all  
25     the potential candidates and go on from there, as

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1 compared to trying to micromanage it from the Commission  
2 at this point in time.

3 COMMISSIONER DAI: Commissioner, yeah, I think  
4 we're just waiting for the range that Dan said he would  
5 get later today?

6 MR. CLAYPOOL: Correct.

7 COMMISSIONER YAO: I would say approve it and  
8 trust the executive director with posting the range as  
9 compared to having to look at the number ourselves and  
10 decide as to whether that's good or bad. It just takes  
11 time and eat into our schedule that we really can't  
12 afford to lose. That's all.

13 COMMISSIONER DAI: I personally think we can  
14 wait until he has a number. I mean I don't think it's  
15 going to take anymore time.

16 COMMISSIONER AGUIRRE: Yeah, I would second  
17 that motion.

18 CHAIRMAN WARD: Second Commission Yao's or  
19 Commissioner Dai's?

20 COMMISSIONER AGUIRRE: To Mr. Yao's.

21 COMMISSIONER WARD: So we have a motion on the  
22 floor, then.

23 Commissioner Blanco, did you have an  
24 alternative motion that you were considering?

25 COMMISSIONER BLANCO: No.

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1 CHAIRMAN WARD: Okay.

2 Kirk, did you ask us to consider -- you  
3 asked us to consider giving you additional authority for  
4 contracting, correct?

5 MR. MILLER: Well, I believe that you  
6 indicated that, with respect to hiring someone on an  
7 interim basis, that that authority is already there from  
8 a prior meeting, and we'll look into using it. This is  
9 a different motion on the salary range.

10 CHAIRMAN WARD: Okay, let's open the motion to  
11 give the executive director approval to increase the  
12 salary range for the position of budget and finance  
13 director to the public.

14 COMMISSIONER BLANCO: I'd like to wait to see  
15 the figures.

16 AUDIENCE MEMBER: Good day again,  
17 Commissioners. I was thinking of applying to be a  
18 commissioner and the pay looked reasonable for that.  
19 And I don't think, with all the unemployed folks these  
20 days, I'm sure if it stays the same salary and gets out  
21 enough that a competent person would come forward, and I  
22 don't think we should cave to a greedy prospective  
23 candidate. Thank you.

24 CHAIRMAN WARD: Thank you.

25 Just for the panel, we have a motion on

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1 the floor that was seconded, so we need to address that  
2 issue at this time. So having no further public  
3 comment, we'll go ahead and put this issue to vote  
4 unless there's more panel discussion.

5 COMMISSIONER GALAMBOS MALLOY: I'm just  
6 clarifying. I'm not clear why we would need to take the  
7 vote now if we anticipate that Dan will have some budget  
8 numbers for us while we're still in session. I  
9 personally, at least, even if you had a range, would  
10 feel more comfortable taking this vote. And if you  
11 think you'll have some hard numbers for us while we're  
12 in session, I'd suggest we wait.

13 COMMISSIONER ANCHETA: I would move to table  
14 this motion until those numbers are presented to the  
15 Commission.

16 COMMISSIONER FILKINS WEBBER: Second.

17 CHAIRMAN WARD: So we have an alternative  
18 motion on the floor to table the original motion until  
19 salary figures are available, and that has been  
20 seconded.

21 Is there additional public comment on the  
22 amended motion to refer the vote to give the executive  
23 director permission to increase the salary for the  
24 budget and finance director to a later time when the  
25 increase numbers are available?

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1 And seeing no one approaching the mike --

2 COMMISSIONER ONTAI: Just to make sure, those  
3 figures are going to come in when? Today?

4 MR. CLAYPOOL: I've already sent a message  
5 last night and then referring that we need them as soon  
6 as possible, so I would anticipate that we would have  
7 that salary range, or that estimate that DGS gives us  
8 sometime today.

9 COMMISSIONER YAO: I would support the  
10 alternate motion, so I think we need to vote on the  
11 alternate motion first.

12 COMMISSIONER ANCHETA: Sorry. Just as a  
13 matter of parliamentary procedure, motion to table is a  
14 separate motion; it's not an amendment to your motion.  
15 It's just to table it until later.

16 CHAIRMAN WARD: Okay. All in favor of coming  
17 back and visiting the issue of raising the budget and  
18 finance director's salary range to a higher level once  
19 those numbers are available, please raise your hand and  
20 say "yes."

21 COMMISSION MEMBERS: Aye.

22 CHAIRMAN WARD: All opposed?

23 Any abstain?

24 All right. We'll revisit that.

25 Mr. Claypool, you mentioned that the

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1 Google calendar, shared calendar had been put into  
2 motion and was available online, and I believe Christina  
3 took care of that for us. My understanding was, from  
4 some feedback, that there's been multiple issues with  
5 that, or it's not exactly ready for use. Is that  
6 correct?

7 MR. CLAYPOOL: I believe that I should  
8 actually have been in contact with Commissioner Dai and  
9 so forth. And the issue is kind of the overlaying  
10 clutter that will end up occurring if we use our main  
11 calendar for all things.

12 What Christina has suggested and I think  
13 is probably a pretty good idea is to have several  
14 calendars. One of them would be for scheduling up our  
15 meetings down the way, and you could each put whether  
16 you would be there or which ones you could be available  
17 for, and then have another calendar that would be  
18 availability. It just will be more manageable than one  
19 calendar. I can only imagine what your calendars look  
20 like right now, and if we overlay fourteen of them I  
21 think it will just become too cumbersome.

22 So that's the issue we're dealing with.  
23 Christina is putting together a plan, and she was hoping  
24 to send that out in an email of instructions to you  
25 saying this is how we propose to do it. And then we

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1 need your input as to whether or not it works for you or  
2 if it's cumbersome or what changes you would recommend  
3 in it.

4 CHAIRMAN WARD: Okay, thank you. Yeah, I'd  
5 understood that there were technical issues with that  
6 calendar that made it possibly not a viable option at  
7 this time. I guess my information was incorrect, then,  
8 correct?

9 MR. CLAYPOOL: I think originally when we  
10 spoke, because this was a last-night thing that I got  
11 back to with Christina, so I think that she had worked  
12 over some of the technical issues, particularly with  
13 Commissioner Dai, and this morning the response to me  
14 was this would be a better approach to it. So I think  
15 she's got a route around the issue and we've resolved  
16 those technical issues.

17 CHAIRMAN WARD: Excellent. Thank you so much.

18 COMMISSIONER GALAMBOS MALLOY: Dan, can I ask  
19 an additional question. I think our most urgent order  
20 of business for this session is actually putting into  
21 place our schedule for March, so is there the  
22 possibility we could get it up and running to at least  
23 test its capacity for scheduling our March sessions?

24 MR. CLAYPOOL: I believe it's up and running  
25 right now for March. I mean I think we've got a

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1 calendar that will allow you to put in your availability  
2 for March. All we're talking about now is whether  
3 you're going to go on there and find two calendars, one  
4 that would be for scheduling your availability and then  
5 the next calendar would be for signing up for different  
6 venues as we set them in place. But we will get an  
7 email out to all of you from Christina on that today.

8 COMMISSIONER GALAMBOS MALLOY: Thank you.

9 COMMISSIONER YAO: Can I address the public  
10 comment, the paper replacement with just the email. Can  
11 we find a way to number these public comments so that we  
12 don't basically have to track it by date, so that if  
13 we're finished with public comment number 352 we know  
14 where to pick up from that point?

15 MR. CLAYPOOL: I don't see any reason why we  
16 couldn't number it. If we can put a date on each one of  
17 them we ought to be able to put a number. I would  
18 suggest that we could probably do both. It would be  
19 helpful to not only date it but number it, so we'll make  
20 a note of that.

21 COMMISSIONER FILKINS WEBBER: I have a few  
22 questions on that as well, Dan. I was relying on paper  
23 copies and assumed that we would get the paper copies  
24 for this meeting. In looking at the public comments on  
25 the website, which I was not reviewing the public

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1 comments on the website so I was counting on the paper  
2 copies. And I certainly appreciate that, and I don't  
3 want paper copies. I certainly appreciate your  
4 recommendation. But I do have a few questions.

5 When did staff stop giving us paper  
6 copies so that I can make a determination of the dates  
7 of the information that I have not had an opportunity to  
8 review based on what's on the website, number one. And,  
9 number two, how quickly do the public comments get on  
10 the web if they are sent in by mail or email, or how  
11 quickly do they get on the website?

12 MR. CLAYPOOL: In response to your first  
13 question, then the package that you would have received  
14 would have been similar to the last session, and it  
15 would have been all the public comments since the last  
16 session. And that would have been available to you, if  
17 we had done it by the paper method, at the start of this  
18 session.

19 Now, having said that, in the past I  
20 believe there was a reliance that we weren't sending  
21 them to you as we received them, that you were only  
22 going to get them at the start of the session anyway and  
23 that you would have been picking them up if you had gone  
24 to the website at that time. There again, we have this  
25 communications issue where we need to make sure that

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1 we're on the same page. But you are missing, if you  
2 haven't checked the website, from the last session.  
3 But, as I understand it, that's not a large volume, or  
4 the volume's actually picked up since we entered session  
5 here.

6 To answer your second question, it's --  
7 I'm trying to think of the best way to put this. The  
8 easiest way for us to manage this is by having you go to  
9 that website and check them, and as we pick up more  
10 volume that's just going to be -- it would be very  
11 problematic to provide it by paper.

12 Did I answer both questions?

13 COMMISSIONER FILKINS WEBBER: Yes. A few  
14 follow-ups in that regard.

15 MR. CLAYPOOL: Go ahead.

16 COMMISSIONER FILKINS WEBBER: Is it still SOS  
17 that's managing the website and putting these comments  
18 on here, or do we have a staff member that's doing that?

19 MR. CLAYPOOL: It's still SOS. And the whole  
20 issue -- and that was the second question I needed to  
21 address. The whole issue with the Secretary of State --  
22 and they're desperate to get us our own authority  
23 because they have an election coming and we're eating up  
24 valuable staff time of the one person they have who  
25 manages their website. But because of the procurement

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1 issue -- and this is why we're going around though  
2 university services trying to find someone. The biggest  
3 issue isn't the \$100, because we can fund that. We can  
4 find money for the things that keep our office running.  
5 The biggest issue is that you cannot enter into any IT  
6 contract at all until the Department of General Services  
7 gives you permission. And our biggest need right now is  
8 a web designer and web maintenance and desktop services.  
9 So until that occurs we're just married to the Secretary  
10 of State's office, and so they're working, on our behalf  
11 as well as the Department of Finance and General  
12 Services, to resolve that issue.

13 COMMISSIONER FILKINS WEBBER: So would your  
14 recommendation be that we just withhold any suggestions  
15 on changing? For instance, it appears that the public  
16 comments are in alphabetical order, which then makes it  
17 difficult, so then I have to look at each of the dates  
18 because one of the most recent, February 2nd, is from  
19 Wright, and it's "W" way down at the bottom. So should  
20 I just withhold any recommendations about how this  
21 should be structured on the web to make it easier for  
22 obviously members of the public that are keeping track  
23 of the public comments, as well as the Commission  
24 members?

25 MR. CLAYPOOL: No, I think your recommendation

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1 should be made and we should move to -- I don't know  
2 that it will be any problem for this person to simply  
3 reorder them by date and attach a number to them, if  
4 that's the way we want to see them, rather than by  
5 alphabetical order. And it makes more sense, in my  
6 mind, to have it by chronological order. In that case  
7 what would happen is they would make that change at the  
8 Secretary of State's office and we would simply inherit  
9 your recommendation when it was transferred to us.

10 COMMISSIONER FILKINS WEBBER: Then I would ask  
11 that you convey that to the Secretary of State, that we  
12 would like to see the public comments in chronological  
13 order so that we may be able to keep track more  
14 appropriately. And then, as Commissioner Yao has  
15 suggested, I guess by number. I won't be following the  
16 number; I'll be following the date. But I appreciate  
17 that. Thank you.

18 CHAIRMAN WARD: Along that line, Dan, can we  
19 talk about our Secretary of State's relationship  
20 presently and any transition issues that you're managing  
21 at this time? What presently is the Secretary of State  
22 performing for us?

23 MR. CLAYPOOL: Well, the Secretary of State  
24 still maintains our website, clearly. They maintain all  
25 of our desktop support. And when we need -- when we

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1 need almost anything they step in and assist us. I've  
2 said it over and over again, but Dora Mejia, Chris Maio  
3 in charge of our IT system, those people just step up  
4 continually. And so they've gone above and beyond in  
5 every request we've made.

6                   The biggest issues are resolving really  
7 the large bureaucratic issues that we have. The  
8 Department of General Services is the case that I've  
9 been harping on the most because of delegated authority.  
10 We still have an issue with the State controller's  
11 office in answering the codes, and that was just sent  
12 over to me right now, just entering the basic codes so  
13 that staff can be recognized on the State's payroll  
14 system as being people that need to be paid. So Dora  
15 Mejia as the fiscal officer for the Secretary of State,  
16 as well as Raul Villanueva, have been working just  
17 tirelessly with them to ask them, "What else do you  
18 need?"

19                   These are things that the entities  
20 involved are aware of. They are very bureaucratic in  
21 nature. As Kirk mentioned, there is a lack of  
22 nimbleness to the State system that then requires that  
23 certain boxes be checked, and that's what we're moving  
24 through. Will staff be paid? Yes. That's going to  
25 occur.

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1 But those are really the only issues.  
2 When we resolve the delegated authority, then we find  
3 somebody for the website. But really when we resolve  
4 the delegated authority we can put the IT services in  
5 place and then we can cast off and away from the  
6 Secretary of State's office, and it will be a happy  
7 moment for both sides.

8 CHAIRMAN WARD: Commissioner Blanco?

9 COMMISSIONER BLANCO: I just wanted to point  
10 out that the list of commissioners that's on the home  
11 page needs to be updated. It still has Commissioner Kuo  
12 and doesn't include Mr. Ancheta.

13 MR. CLAYPOOL: We'll send it back and that  
14 will be updated.

15 CHAIRMAN WARD: You mentioned in your  
16 executive director report status on the Blackberry cell  
17 phones that are being issued. I'm just wondering, for  
18 public reference, if Kirk might be able to give us just  
19 a real quick explanation as to -- many of the  
20 commissioners actually desired not to have a second  
21 phone to have to carry around or worry about, but  
22 there's some discovery issues that are involved in that  
23 which makes it extremely necessary to have that. And  
24 I'm just wondering for public sake if you can give us a  
25 few quick comments as to what that's about.

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1                   MR. MILLER: I think this issue comes under  
2 the heading of the Public Records Act, which is one  
3 that's gotten a little bit less attention, as best I can  
4 tell, than the Public Meetings Act. We ought to come  
5 back and talk about it.

6                   But the short answer to your question is  
7 that email communications that reside on a mobile device  
8 are almost -- it is likely that those communications  
9 would be covered by the Public Records Act, which means  
10 that if we get a request for them commissioners would  
11 have to provide those, which has two implications. One  
12 is, people should be thoughtful about how things are  
13 expressed in that forum, and the other is the burden of  
14 producing those. And while it can certainly be done  
15 from a personal mobile device other than the  
16 State-provided one, it would just make that easier if  
17 they're all in one place.

18                  COMMISSIONER DAI: I just wanted to clarify  
19 for the Commission and for the public -- I'm hesitant.  
20 I see I'm evolving into the role of the technology  
21 person here. But since we're using Google apps, our  
22 emails are in the Cloud so they are not resident on our  
23 device, so that's not something that we should have to  
24 worry about.

25                  COMMISSIONER RAYA: Being the person, the

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1    I least technological person here, I know we had a  
2    conversation about being able to put multiple emails on  
3    your cell phone. For some of us that's very  
4    challenging, so even though it may be in the Cloud, I  
5    still have to access it, and that was my concern, part  
6    of my concern about having a separate device so I could  
7    just say okay, there's this. I don't have to figure out  
8    how to do it on my phone.

9               COMMISSIONER DAI: If it's easier for you to  
10   carry a second device rather than figuring out how to  
11   configure a phone, I would say go for it. But it's  
12   relatively easy to configure it and I'm happy to help  
13   you.

14              COMMISSIONER BLANCO: I'm just not sure it's  
15   just in the Cloud, Commissioner. I mean I have it  
16   installed. The Google Chrome is on my blackberry. And  
17   it's on my Blackberry; it's just not just on the Cloud.  
18   If somebody goes into my Commission email that's on my  
19   Blackberry, it's there.

20              COMMISSIONER DAI: That's true, but you could  
21   delete that at any time and it would still be in the  
22   Cloud so you wouldn't be getting rid of the actual  
23   email.

24              COMMISSIONER BLANCO: Right. But I think we  
25   should be careful about deleting things.

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1                   COMMISSIONER DAI: But because it's in the  
2 Cloud you're not actually deleting it. It's just not on  
3 your device anymore. You're no longer accessing it.

4                   CHAIRMAN WARD: Perhaps we should direct staff  
5 to go ahead and clear up the issue. Again, I know that  
6 I was -- looked into this when that issue came up and  
7 was absolutely directed that if any text messaging  
8 between commissioners, anything like that occurred, that  
9 your personal cell phone would then become public record  
10 and discoverable and things like that. I was assured  
11 that's true. Maybe it's not. I don't know. But let's  
12 just direct staff at this point to further clarify that  
13 and get back to the Commission.

14                  COMMISSIONER FILKINS WEBBER: If I may just  
15 have one clarification, just for the ease of staff and  
16 so that there isn't multiple work that's done, this was  
17 an issue that was discussed in the legal subcommittee  
18 regarding Public Records Act, and we were considering  
19 training for the Commission on Public Records Act. Is  
20 it possible that the individual that we select that  
21 would present training, whether it's Mr. Miller or  
22 whether he designates somebody else for training, that  
23 could probably look into it in more detail rather than  
24 just -- because it is a legal Public Records Act issue  
25 and a technology issue. No reason to burden the staff

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1 and have our potential training consultant advise us on  
2 that.

3 MR. MILLER: I believe we talked about  
4 revisiting the Public Meetings law, and I think it would  
5 make sense if we could just double-down and also discuss  
6 this issue at the same time. That would make sense.

7 COMMISSIONER FILKINS WEBBER: And add a  
8 technical component. Okay, thank you.

9 I have one other question for Dan. Dan,  
10 you had said that these Blackberries and whatever  
11 contracts were being worked out with the SOS, you were  
12 then going to consider the most feasible way for  
13 delivery. I'll just let you know that I don't mind  
14 waiting and picking it up personally in Sacramento.  
15 There's no reason to mail it to me, if it's available by  
16 our next meeting on the 23rd, so you don't have to worry  
17 about delivery to me. No reason to incur the cost for  
18 it.

19 CHAIRMAN WARD: We'll put together a list,  
20 then, and get that to Dan before we leave.

21 MR. CLAYPOOL: We're all for avoiding costs,  
22 so if that's fine with everyone, absolutely.

23 COMMISSIONER BARABBA: Yes, it is.

24 CHAIRMAN WARD: Mr. Claypool, you'd asked for  
25 some direction on how to better communicate between

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1 sessions, is that correct, in the executive director  
2 report? Is that one of the things you'd asked for?

3 MR. CLAYPOOL: Actually I had said that, and  
4 it came out of a conversation yesterday that there was a  
5 communication gap on our agenda that we had. And so I  
6 believe that the Vice Chair is working on some possible  
7 comments, and so we will look forward to those. But I  
8 think that they were going to be an item under  
9 governance, but I will defer to the Vice Chair.

10 COMMISSIONER GALAMBOS MALLOY: We have a  
11 series of items under governance, so I'm not sure. Are  
12 we still tackling governance tomorrow?

13 CHAIRMAN WARD: Since it was raised in the  
14 executive director report, I don't necessarily have an  
15 objection to getting it done now. Let's hammer it out.

16 COMMISSIONER GALAMBOS MALLOY: Okay.

17 CHAIRMAN WARD: I think one of the things that  
18 was identified was talking about a 24-hour limit by  
19 which to acknowledge a receipt of correspondence. So  
20 that would look like, if a commissioner or staff member  
21 were to receive an email from the staff or another  
22 commissioner, that within 24 hours there would be an  
23 expectation that you reply in kind, even if that means  
24 nothing more than, "I received your email and we'll  
25 address it by Friday," or something like that.

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1                   COMMISSIONER RAYA: Mr. Chairman, excuse me.  
2 Before we get into this discussion may we have a brief  
3 break?

4                   CHAIRMAN WARD: My Vice asked for that and I  
5 ignored it. Absolutely. Let's do that. We'll break  
6 for -- let's do a ten-minute break and we'll convene  
7 back at 40 after the hour.

8                   (Recess from 10:29 a.m. to 10:44  
9 a.m.)

10                  CHAIRMAN WARD: With the Commission seated and  
11 a quorum present, we'll continue on with the meeting.  
12 Thanks to the thoroughness of the executive director's  
13 report, we've almost knocked out governance issues  
14 completely, so this is fantastic. We're getting two for  
15 one here this morning.

16                   And I'd like to turn it over to the Vice  
17 Chair who, as I understand, had considered some of these  
18 feedback items for the executive director's request, and  
19 she'll bring us up to speed.

20                  COMMISSIONER GALAMBOS MALLOY: Thank you,  
21 Commissioner Ward. You began to introduce one of the  
22 items that I'd like to come to some agreement on as a  
23 Commission, and that was regarding a baseline protocol  
24 for turnaround time between commissioner and staff  
25 communications and requests. So the goal here is not to

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1 say staff hasn't been doing their job and hasn't been  
2 responsive. It's we want you to have a sense of how  
3 quickly you can expect for us to respond to your request  
4 and vice versa. And so the suggestion was made as a  
5 24-hour turnaround time and that we institute that email  
6 communication is the main mode of communication. Of  
7 course there will be exceptions to that, but in terms of  
8 allowing us a system to be able to track and staff,  
9 giving them I think a little more flexibility on how to  
10 manage the influx of communication. So my suggestion,  
11 for conversation purposes, would be does 24 hours seem  
12 reasonable as a mutual expectation between commissioners  
13 and staff?

14 Commissioner Yao?

15 COMMISSIONER YAO: Unless it's advantageous to  
16 do so, don't just respond to all. Most of the time just  
17 respond directly to the executive director. But if  
18 there's information you feel it's advantageous to share  
19 with all the other commissioners then do it in response  
20 to all.

21 COMMISSIONER GALAMBOS MALLOY: One  
22 clarification point, too. This doesn't mean we expect  
23 that staff will have the answers to all of our questions  
24 within 24 hours, but that you will acknowledge receipt  
25 and next steps.

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1                   MR. CLAYPOOL: Absolutely. And we were  
2 actually hoping that we were responding much more  
3 quickly than that, and in most cases that's what we try  
4 to do. I would ask everyone when we're looking at  
5 gmail -- because this has been the biggest problem we've  
6 had -- is to expand -- every time you get a response,  
7 expand that entire email list so that you see whether or  
8 not there's a response in there somewhere. And I know  
9 that gmail shows you what's been opened and hasn't, but  
10 it has been for me on several occasions I've missed a  
11 comment from someone because it's in the middle of a  
12 17-string email. And so the other thing I would ask is  
13 that if you have something that's very urgent that we  
14 need to address right now, make it a new message and  
15 that way the expansion issue doesn't become an issue.

16                   Thank you.

17                   COMMISSIONER GALAMBOS MALLOY: Great.

18                   So seeing no concerns, disagreement, 24  
19 hours is our protocol for commissioner-staff  
20 communication and requests, and we will be relying on  
21 email as the primary mode of communication.

22                   The second governance point that I wanted  
23 to bring up to the Commission for full discussion is in  
24 regards to our Chair and Vice Chair responsibilities and  
25 protocol for developing agendas for our meetings. Of

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1 course our intent in establishing a rotating chair/Vice  
2 Chair structure was that we would not only be a  
3 well-oiled machine but that we would be a multi-partisan  
4 machine, that we would be a collaborative machine.

5 I think that as we've been testing out  
6 the system a few issues have come to light that we could  
7 easily address, and that is really regarding chain of  
8 command and division of responsibilities and timeline on  
9 how to get a comprehensive supplemental agenda out to  
10 folks in advance of the meetings. Now, we of course  
11 have been posting our broad agenda with our fourteen-day  
12 meeting notice, but what we've been attempting to do is  
13 to create a supplemental agenda, or an expansion, in  
14 effect, where we're able to put much more detail, even  
15 some timing as to the order of business that will be  
16 taking place in any given meeting. I think the tricky  
17 part has been when multiple commissioners have  
18 suggestions for those agendas, where do those  
19 suggestions go, by when do they need to come in order  
20 for us to really be able to turn around an agenda in a  
21 way that makes sense.

22 Having just recently been through this  
23 process as Vice Chair and Commissioner Ward as Chair, we  
24 wanted to put out a suggested timeline, which I did  
25 speak with Mr. Claypool regarding to see if this would

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1 work. The suggestion is that we have a 72-hour  
2 previous-to-our-meeting-time deadline for all  
3 commissioners to get in their suggested agenda items.  
4 The agenda items as suggested would go to the Chair for  
5 that meeting. Then the Chair, by 48 hours prior to the  
6 meeting, locks in the agenda. That is the agenda that  
7 staffs works with. That's the agenda that gets posted,  
8 the detailed agenda, recognizing that later down the  
9 road as our work picks up we may need to compress this  
10 and say that it's a 48-hour deadline and a 24-hour  
11 deadline. But for now it seems like 72 and 48 could  
12 work.

13                   Let me just run down what that would look  
14 like for Sacramento, which is the meeting that I would  
15 be chairing. So we're scheduled to start meeting on  
16 Wednesday morning I believe at 9:00 o'clock with our  
17 subcommittee meetings. So Sunday morning at 9:00  
18 o'clock would be the deadline for which commissioners  
19 would send any suggested agenda items to myself. I  
20 would then, over the next 24 hours, work with  
21 Commissioner Filkins Webber, or we probably would have  
22 been in some communication before that regarding the  
23 agenda. And so 48 hours prior to the meeting, which  
24 would be Monday morning, you could expect that you would  
25 have an agenda to review, and that would also give a

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1 couple days worth of time where you would have the  
2 opportunity to prep before the meeting, which is really  
3 our intention as well.

4 That's my thought around that, and just  
5 wanted to put it out to the full Commission for  
6 discussion. Hopefully we can come out with some  
7 protocol.

8 COMMISSIONER BLANCO: Question. This also  
9 includes the subcommittee agendas?

10 COMMISSIONER GALAMBOS MALLOY: Yes, because it  
11 would be for the full agenda.

12 COMMISSIONER BLANCO: For the full agenda. So  
13 also the details of the subcommittee would have the same  
14 notice.

15 COMMISSIONER GALAMBOS MALLOY: Um-hmm.  
16 Um-hmm.

17 COMMISSIONER BLANCO: Okay.

18 COMMISSIONER YAO: While we're discussing the  
19 agenda I'd like also to throw up this concept of any  
20 agenda item that involves a lot of public participation.  
21 We should try to define the timeline for that and not  
22 allow the previous agenda overrunning and delaying that  
23 particular item. Because a lot of public come into the  
24 meeting with the intent of addressing us on that  
25 particular item, and often when we overrun our schedule

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1 we basically cause them to either miss it entirely  
2 because they can't allocate a sufficient time to wait  
3 for us to finish, but doing so probably would force us  
4 to table whatever unfinished business we have from the  
5 previous item until a later time. So I don't know  
6 whether you want to have a little bit of discussion as  
7 to whether we want to perhaps implement something like  
8 that in the interest of allowing the public to address  
9 us in a more timely manner.

10 COMMISSIONER DAI: I just want to say I think  
11 that's an excellent suggestion, and so I think, you  
12 know, we would indicate if you're submitting an item for  
13 an agenda and you think there's going to be, you know,  
14 substantial public comment on it to note, but otherwise  
15 that I would expect the Chair and the Vice Chair to  
16 define a period for public comment and so that that can  
17 be noted on the agenda and maybe kind of called out for  
18 the public.

19 MR. MILLER: I thought it might be helpful,  
20 just one note of clarification. Please keep in mind,  
21 when thinking about agenda items, in our fourteen-day  
22 notice we have to give the public reasonable guidance  
23 about the topics that will be discussed. We can  
24 fine-tune how those slot in under that agenda, but it's  
25 not possible a few days before a meeting to add a whole

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1 new agenda item that's not already covered in the public  
2 notice.

3 COMMISSIONER GALAMBOS MALLOY: Definitely. I  
4 had requested for staff to have copies of the Sacramento  
5 agenda. Do we have those available now or we'll get  
6 them later in the day?

7 MR. CLAYPOOL: I'm fairly certain that Janeece  
8 had actually printed those, but she's out right now  
9 printing a different item. It may be right here.

10 COMMISSIONER YAO: It's been posted on the  
11 website already.

12 COMMISSIONER GALAMBOS MALLOY: It's already  
13 been posted on the web.

14 So that would be for Sacramento, for  
15 example. Then that agenda already provides the  
16 parameters for what types of expansions you can add into  
17 the agenda. It would not go outside of what's already  
18 been noticed, but it would provide a greater level of  
19 detail.

20 CHAIRMAN WARD: I'd just like to submit that,  
21 as commissioners, we all own the process of setting the  
22 agenda and things like that, and it really is the Chair  
23 and Vice Chair's job, along with staff, to set that  
24 agenda and put it together. And so any comments, I  
25 would say get to them and they'll figure out whether or

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1 not it fits and where to fit it and everything else.

2 But bring the feedback. Let's just observe, unless  
3 there's guides otherwise, the recommended timeframes so  
4 that everybody can do their job.

5                   And I think another thing along the lines  
6 of that is, if -- beyond just agenda items to the Chair  
7 and Vice Chair or to staff, I think that if there's  
8 guest speakers or someone that comes up to you and wants  
9 to address the Commission, things like that, it would  
10 be -- rather than just inviting them to come and do it,  
11 if it's someone you know, someone you work with,  
12 something like that, and they have an area of expertise  
13 that they wish to share, perhaps we should forward that  
14 to the staff or Chair or Vice Chair for consideration of  
15 allocating time or something like that.

16                   We've run into times, as we all know, in  
17 the past where people with said expertise are invited to  
18 come and address the Commission at open session, and so  
19 they come prepared with a 15-minute presentation, which  
20 really isn't fair to the public, for others that have  
21 come to give comment in just a small amount of time, to  
22 have that time eaten up by one person as opposed to  
23 giving equal time to everybody. It seems like it could  
24 get us into trouble down the road. That's just a  
25 suggestion I have from my end.

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1                   Mr. Claypool, did you have a comment on  
2   that?

3                   MR. CLAYPOOL: Not actually a comment on that  
4   because all of these are great suggestions. But I just  
5   wanted to step back to the original idea that  
6   Commissioner Galambos Malloy had propositioned as far as  
7   the 48-hour and then the 24-hour period between there  
8   where we solidified the final items between the Vice  
9   Chair and the Chair. I would hope that we would  
10   actually have that 24-hour period. I think what we  
11   originally discussed was having that be the time that  
12   staffed needed to ensure that it was run by the chief  
13   counsel, and then we had time to get it up on our  
14   website.

15                  Now, the only reason we needed a 24-hour  
16   period -- so we're talking about three days, 72 hours.  
17   The only reason we need a 24-hour period for that is  
18   because we're working through the Secretary of State's  
19   office. And if we get the changes at 7:00 o'clock at  
20   night, the very earliest we will see anybody is 12:00  
21   o'clock the next day, and then I don't know how long it  
22   will take them to post it up. Once we have control of  
23   our own website we can certainly shorten that time  
24   period to be, say, twelve hours or whatever it is, but  
25   we have to be aware that the staff to do this will have

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1 to be available, and so we need the 48 hours as a final  
2 deadline and then some period of time, currently I would  
3 suggest 24 hours, to make sure that we can get it up.  
4 So we're really talking at this point about a three-day.  
5 No other changes beyond that unless they're absolutely  
6 essential. And if that were the case then we would be  
7 going out to all the commissioners on a different basis  
8 anyway.

9 CHAIRMAN WARD: Any comment on this matter  
10 before we leave it? Excellent. Very good. All right.

11 We're looking forward here to our very  
12 first subcommittee report to the full Commission, and I  
13 think when we draw straws the legal is up first.

14 COMMISSIONER FILKINS WEBBER: Sorry, just give  
15 me a moment. Thank you, chair.

16 In the legal subcommittee we had an  
17 opportunity to prioritize various issues, approximately  
18 eight, and, given the limited amount of time, we did not  
19 have an opportunity to address all of them. Therefore,  
20 we prioritized. First we discussed VRA counsel and the  
21 issues surrounding the necessity to identify an  
22 individual. And, just in summary, we charged Kirk  
23 Miller to solicit presentation materials from a number  
24 of specifically named attorneys. The names of those  
25 attorneys will be provided by Maria Blanco and I believe

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1 Commissioner Ancheta, just as a starting point. We've  
2 also asked Mr. Miller to contact the Department of  
3 Justice as we discussed the possibility that there may  
4 be individuals in the Department of Justice that might  
5 very well be interested in this position as our VRA  
6 counsel.

7 We've also discussed and asked Mr. Miller  
8 to draft the proposed notice that would be placed on the  
9 website for this position, and I believe  
10 Commissioner Blanco will also provide Mr. Miller  
11 locations for other places where announcements can be  
12 posted for this position.

13 We have also considered the possibility  
14 of coming together again around March 4th in a legal  
15 subcommittee special meeting, subject to change and  
16 subject to further detail, but so that we can determine  
17 the status of the identity of potential individuals.  
18 And the reason that we did this is because apparently,  
19 from the experience that we have in the legal  
20 subcommittee from Commissioner Ancheta's participation  
21 and Commissioner Blanco, the limited number of people  
22 that might be qualified for this position, and we  
23 discussed the possibility of really opening this up  
24 nationwide. Because it's not a California issue; it's a  
25 federal law issue. So we certainly would not be bound

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1 by a particular California attorney, potentially, in  
2 that regard.

3                   Once we -- we also discussed the  
4 possibilities of retainers versus hourly. That went  
5 around for a while, but what we've agreed on is, more  
6 than likely, the individual that would be considered for  
7 this position will present their ideas, and so we might  
8 very well get various options for how the attorney could  
9 present their consultation services to this Commission  
10 and whether it would be a staff position, retainer  
11 position, or it might very well be that they have an  
12 entirely different idea that we haven't considered. So  
13 we haven't narrowed that idea yet. We'll take a look at  
14 what presentation we can get from the legal  
15 subcommittee. So we are moving forward on that. We're  
16 moving forward quickly, and so more than likely we  
17 should have some information by our special session  
18 tentatively set for March 4th.

19                   The next item that we discussed was  
20 Bagley-Keene training and Public Records Act training.  
21 We discussed the necessity that at this point, given our  
22 structure and structure of governance that we've  
23 elected, in particular subcommittees, that the prior  
24 training that we received, the first day in particular  
25 from the BSA -- and in fact I believe Ms. Neville from

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1 the Bureau of State Audits also provided the training  
2 for the six in January -- that was a general overall  
3 training for Bagley-Keene issues. And so we are  
4 considering one further session of training for the full  
5 Commission for the sole purpose of having it tailored in  
6 its presentation of Bagley-Keene for our present  
7 structure involving the subcommittees or involving some  
8 IT issues.

9                   And I didn't note here, but I think we've  
10 agreed as well that we will coordinate the Public  
11 Records Act training so, if possible, we either have  
12 multiple individuals. But Mr. Miller will be looking  
13 into that and identifying an individual to come and give  
14 us training. And, again, it may seem duplicative of  
15 what we've had before, but we're not intending to do  
16 that. We really want to tailor it to our structure and  
17 tailor it for the issues that we've seen come up time  
18 and time again. And if it's possible we could consider  
19 Donna Neville again or maybe somebody else that  
20 Mr. Miller -- and, if nobody else, maybe Mr. Miller  
21 himself. So we discussed that.

22                   We also discussed something of interest  
23 that this Commission mentioned at the last full meeting,  
24 which was Section 8253 of the Government Code. And, as  
25 you will recall, Section 8253 had a provision in there

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1   prohibiting communications with and receiving  
2   communication from the public regarding, quote,  
3   redistricting matters, close quote, and what does that  
4   mean. So we actually received very interesting public  
5   comment on this issue and was most appreciative of the  
6   suggestions that were made by the public.

7                   For instance, given that we are dealing  
8   with a law that does not have any judicial  
9   interpretation, some of the members of the public have  
10   suggested to narrowly define what, quote unquote,  
11   redistricting matters means. And maybe if we narrowly  
12   defined it to simply information of drawing lines on a  
13   map, it may free up our concerns, anyway, of going to  
14   events where we are being asked to speak.

15                  But overall, regarding some of the other  
16   issues that have come up, we've asked Mr. Miller and he  
17   has taken it under advisement regarding -- we discussed  
18   the full issue, essentially, and he understands the  
19   issue, and he will be reporting back to us for a full  
20   discussion of the issue and to further advise this  
21   Commission regarding his recommendations on  
22   participation such as what you've done in the past.

23                  Many of you have given welcoming comments  
24   and then felt obligated to leave some meetings where  
25   there were redistricting issues presented, and so that

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1 issue was fully discussed and presented to Mr. Miller,  
2 and he will get back to the legal subcommittee and we  
3 will present it to the full Commission as to what his  
4 recommendations will be regarding your participation in  
5 meetings, including webinars. I mean there will be so  
6 many redistricting functions throughout the United  
7 States, and obviously we will likely get invitations in  
8 that regard, and we want to clarify that issue, and  
9 Mr. Miller will assist us and we will get you that  
10 answer.

11                   And then the last item we discussed in  
12 legal subcommittee but we did not have an opportunity to  
13 flush out entirely and we will take it up in our next  
14 legal subcommittee is the idea of some standing  
15 committee rules for essentially governance. Again, we  
16 discussed the fact that this Commission had previously  
17 voted on January 13th to limit public comment to five  
18 minutes. And, again, we did that for the purpose of  
19 allowing more participation by the public. It's  
20 certainly not a circumstance where we were limiting the  
21 public comment. We really want to hear from a variety  
22 of individuals. So we briefly discussed some of those  
23 rules and one other factor of some other additions that  
24 we'll make to the agenda. But we'll probably come back  
25 to that issue and be able to present more

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1 recommendations to the full Commission following our  
2 next legal subcommittee.

3 And that's all the legal advisory  
4 committee has to report, unless my other fellow  
5 Commission members would like to add anything.

6 COMMISSIONER BLANCO: Just to mention some  
7 other things that we talked about, in terms of the  
8 hiring of the Voting Rights attorney, we also discussed  
9 the possibility of a pool in academia, that there might  
10 be -- that could be another place where we could look,  
11 would be among law professors, in particular, who focus  
12 on the Voting Rights Act. Again, with the knowledge  
13 that this is a limited community of folks who do this  
14 and that we have to deal with issues of perceptions of  
15 partiality and bias, we were trying to think of where  
16 can we go. So academia in addition to the Department of  
17 Justice.

18 And then we discussed a little bit what  
19 of the functions, why we thought this was such an  
20 important position to fill quickly even though some of  
21 the decision-making is -- you know, around drawing maps  
22 may come a little later. We thought that -- we  
23 discussed the fact that this person could even train the  
24 Commission on things that we need to be able to make  
25 sure we solicit in the public comment, because there are

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1 elements that have to go into the consideration of the  
2 record. When you do present we will have to do a  
3 report, and that report has to explain certain decisions  
4 we made, and that means that we have to be able to get  
5 that information when we do our public meetings and that  
6 that would be the kind of thing that the attorney could  
7 train us. And that was part of the discussion about why  
8 we need to start sooner rather than later.

9 And that even identifying legal concerns  
10 about the outreach meetings, how do we handle  
11 discussions of race, et cetera. So it's just to add  
12 that we really began the process of trying to define  
13 what the attorney has to do for us and why we felt it  
14 was urgent that we move forward as quickly as possible.

15 COMMISSIONER FORBES: And along the same  
16 lines, we also considered that we're really looking at  
17 two different attorneys, one that would carry us through  
18 the August 15th date, and then the idea if we have to  
19 defend any of these maps that's a whole separate issue.

20 COMMISSIONER DiGUILIO: I just wanted to  
21 comment quickly on Commissioner Blanco's recognition of  
22 the importance of the VRA expert in terms of the  
23 outreach, too. And we'll talk later on, but the  
24 technical and outreach commission sees them as playing  
25 an integral role in everything from developing materials

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1 to how the meetings are going to be structured. So as  
2 soon as -- that was one of our points in terms of  
3 getting them on board as soon as possible, because any  
4 consultants that we use, whether it be technical or  
5 project management, are going to need to have the input  
6 of the VRA expert as soon as possible.

7 COMMISSIONER BLANCO: That's really great to  
8 know.

9 COMMISSIONER ONTAI: Jodie, did your  
10 subcommittee discuss -- and I'm not even sure if this  
11 applies or not -- the ex post facto rules that might be  
12 a part of this process? For example, when we start the  
13 public testimony meetings where we're talking about  
14 mapping, and if we have nine commissioners or ten  
15 commissioners there, the other two or one, would they be  
16 able to participate in the drawing of maps at some  
17 subsequent date?

18 COMMISSIONER FILKINS WEBBER: I do recall your  
19 suggestion in that regard. And, given the limited  
20 amount of time, we had bullet points of various issues  
21 which included that issue, and I'm afraid we did not get  
22 an opportunity to get to it based on our prior priority  
23 to consider VRA counsel. So what I can do is add it to  
24 our agenda for the next occasion.

25 So can you clarify. You're talking about

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1 -- just state your issue again so I can make sure I  
2 understand it properly.

3 COMMISSIONER ONTAI: If we have a formal  
4 hearing, say, to discuss a trial map in Riverside and  
5 not all of the commissioners are able to attend, let's  
6 say ten of them are present and four are absent, when  
7 the final decision is made in August to draw the final  
8 map, because the other two or three were not present,  
9 are they able to participate in making that final  
10 decision.

11 COMMISSIONER FILKINS WEBBER: Got it. Thank  
12 you.

13 COMMISSIONER ANCHETA: I just wanted to flag  
14 an issue that I raised actually more as a public comment  
15 yesterday because I wasn't sworn yet. But one issue  
16 that I wanted to flag for the full Commission and, in  
17 particular, the technical committee is that in order to  
18 look at Voting Rights Act compliance in addition to the  
19 attorney, we're going to need some sort of social  
20 science expertise that will enable us to look at certain  
21 kinds of data which actually are rather hard to get.  
22 It's not census data. It's not PL 94 or ACS data. It's  
23 data that revolves around political behavior in  
24 particular areas where there might be majority/minority  
25 districts. Part of what's going on with Section 2

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1 compliance is that we're trying to anticipate where we  
2 might get sued if we don't draw a particular set of  
3 lines a certain way.

4                   We're going to have to ultimately deal  
5 with a rather sparse data set, unfortunately, which is  
6 looking at minority voting behavior, racially  
7 polarized vote, so nonminority voting behavior against  
8 minority candidates, for example. That data is often  
9 not generated unless you're litigating, so it's a very  
10 tricky problem for us to figure out, well, are we just  
11 going to look at the racial numbers or the ethnic  
12 numbers, or are we going to look at some other data that  
13 will help us inform whether there's a potential Section  
14 2 violation. We need to have that capacity at some  
15 level.

16                   I think it's going to be very difficult,  
17 if not impossible, to actually try to generate that data  
18 internally. We may have to rely on whatever data is  
19 presented to us by the public or by particular groups.  
20 But we need to have at least the expertise to analyze  
21 what is available at the time. So I would simply add  
22 that as a capacity that the Commission and/or staff  
23 needs to develop in addition to the attorney for  
24 Voting Rights Act compliance.

25                   COMMISSIONER FILKINS WEBBER: Since this is

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1 the first occasion in which we have a report from our  
2 subcommittee, I appreciate Commissioner Ontai's  
3 suggestion regarding the possibility of issues that  
4 should be discussed in legal subcommittee. Would the  
5 Commission agree that at the time that a subcommittee is  
6 reporting, that this would be an occasion in which other  
7 Commission members could raise issues that should be  
8 brought to the subcommittee so that, then, the next  
9 occasion that we have our meeting or when we need to  
10 clarify further agenda issues that we can make sure that  
11 it's properly noticed, and then we are actually  
12 fulfilling all of your inquiries for the tasks that you  
13 would then assign to the subcommittee. So if --  
14 everybody seems to be shaking their head in agreement.  
15 Does anyone else, other than Commissioner Ontai, have  
16 some suggestions for legal subcommittee's consideration  
17 at our next meeting, or next appropriately noticed  
18 meeting, if it's not already on our agenda?

19 COMMISSIONER DiGUILIO: One of the things that  
20 I was going to try to raise late this afternoon -- and  
21 I'm not sure if this falls in your category but let me  
22 throw it out there -- is, in trying to structure some of  
23 these outreach meetings -- and the question has been  
24 raised by commissioners as well, is what boundaries do  
25 the commissioners have in terms of responding during the

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1 public input hearing? Are the commissioners allowed to  
2 be able to interact with the public? We've talked to  
3 some of the potential consultants, and they want to know  
4 what their role is in terms of interacting with the  
5 public. Where will that dynamic take place? And if you  
6 can look into that legally that would be helpful.

7 COMMISSIONER YAO: Just responding to Jodie's  
8 comment in term of the request of subcommittee's  
9 consideration, I think we probably should do that  
10 offline as compared to doing it in this complete  
11 meeting. I think we should limit this meeting to issues  
12 that have been discussed by the subcommittee so that we  
13 can kind of carry on an in-depth discussion. In terms  
14 of an additional topic to be considered, I think we  
15 probably can do best by just doing it offline,  
16 communication either between two -- two individuals so  
17 that we don't take up too much time in dealing with that  
18 in the formal session.

19 COMMISSIONER FILKINS WEBBER: The only  
20 hesitation I would have in that regard is whether or not  
21 the issue that's presented is appropriate for the  
22 subcommittee. For instance, if Mr. Miller feels that a  
23 question that's being presented to legal is something  
24 that he should take on his own and should not be  
25 discussed necessarily in an open subcommittee, it's

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1 something that could be flushed out here rather than  
2 overly burdening a subcommittee with communications that  
3 are ongoing elsewhere, or offline, I mean.

4 COMMISSIONER AGUIRRE: I would concur with  
5 what Commissioner Filkins Webber has commented on.

6 I have an issue that I would like to  
7 present for consideration by the legal committee, and  
8 that would be the elements of what would -- I guess for  
9 lack of a better way to express it, legally defensible  
10 maps. Ongoing we've had discussions and suggestions  
11 from the public and others that we are going to be  
12 challenged in court. And I understand that if we  
13 follow -- if we meet the mandates of Prop 11, that if we  
14 have a process that's inclusive of the public, if we  
15 have a process that incorporates and considers input  
16 from the public, and if we have a process that is -- in  
17 deciding on the map drawing that is reasonable and  
18 rational, that we're going to come up with a product  
19 that reflects the wishes of the California population.  
20 But even then we stand to be challenged in court.

21 So, for me, even though we meet all of  
22 those requirements, what are other considerations in  
23 terms of perhaps things that we should consider, as has  
24 been brought up, and that we should be careful about in  
25 conducting outreach meetings and comments that we make

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1 about racial and ethnic groups, all of those things that  
2 we're going to get training on, hopefully. But still  
3 the issue is how do we -- how can we anticipate some of  
4 the arguments that are going to be made against the maps  
5 as we present them and how can we prepare for that? And  
6 I think having -- being cognizant of that will help us  
7 as we carry on this process.

8 COMMISSIONER FILKINS WEBBER: Just one comment  
9 in that regard. And I think you've made my point  
10 precisely, Commissioner Aguirre. This issue and what  
11 you raise I think is an example of what specifically  
12 needs to be addressed by our VRA counsel and may not  
13 necessarily be appropriate -- it may be in a discussion  
14 for legal subcommittee, but I think that this might --  
15 and it might come about that if we know that Commission  
16 members have issues that may not be appropriately  
17 addressed or VRA counsel wants to flush it out, at this  
18 point I don't want to step on VRA counsel's toes. What  
19 you raise is a significant issue, and I really would not  
20 want to impose on our counsel. So I am taking it down.  
21 I just don't know that it's appropriate for legal  
22 subcommittee to consider this because we would  
23 definitely need VRA's input.

24 And maybe it might be something that the  
25 attorneys themselves would wish to draft and present as

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1 a training to the full Commission and not just  
2 necessarily limit it to subcommittee, because this issue  
3 is very important for all of our work. But I am taking  
4 it down, and I'm sure our VRA counsel will be in our  
5 legal subcommittee so we'll get to it. That's for sure.  
6 I just don't know that we can agendize this for our next  
7 legal subcommittee without VRA counsel.

8 COMMISSIONER AGUIRRE: And I would appreciate  
9 that comment. My intent on a more general level was to  
10 raise it to the attention of the full Commission as  
11 something that we need to prepare for.

12 COMMISSIONER DIGUILIO: And I would just like  
13 to go back to Commissioner Yao's suggestion. And I  
14 understand that sometimes we may have time constraints,  
15 but I find that this is a very helpful process to not  
16 only have the subcommittees reporting to us but to also  
17 get feedback. I think, having been in a position where  
18 there's just two people working, you can make some  
19 progress, but you are limited in terms of getting  
20 direction, and that has to come from the Commission.

21 And I've also recognized that these  
22 subcommittees don't work in isolation, that they  
23 overlap, and this is a great opportunity for us to hash  
24 those things out in a more communal way. So, again,  
25 while respecting the time constraints, I think it's

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1 helpful for us to have this discussion, the feedback,  
2 two ways.

3 CHAIRMAN WARD: That's an excellent point and  
4 exactly right as we understood the subcommittee  
5 structure to allot for. We all go into our individual  
6 speciality groups and come up with issues that we  
7 identify. Technical and outreach, as I understood, the  
8 technical committee sat in on outreach's meeting and the  
9 outreach committee sat in on the technical subcommittee  
10 meeting because their issues overlap so closely and  
11 intermarry. So the point in bringing these reports to  
12 the main Commission is so that full discussion on each  
13 of these items is available in a coordinated and limited  
14 amount of time.

15 I had a question regarding your VRA  
16 ideas, and I'm wondering if at an earlier date we had  
17 discussed considering two VRA lawyers. Is that  
18 something that you guys discussed in the subcommittee?  
19 And, if not, is it something you're willing to discuss?

20 COMMISSIONER BLANCO: I can start with that.  
21 I'm not sure that we specifically discussed two  
22 attorneys. We did discuss how important it would be for  
23 whoever we hired to withstand scrutiny in terms of bias,  
24 perceived bias, and we all agreed that that is a big  
25 concern and also a problematic one. Because this is a

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1 field where you have well defined plaintiffs' attorneys  
2 and well defined defense attorneys. It's not a field  
3 where you have people that go, do both sides. It's  
4 really kind of -- you know, you represent defendants or  
5 you represent plaintiffs in Voting Rights cases.

6 And we know that's a big challenge, which  
7 is one of the reasons we started talking about looking  
8 at universities, at Department of Justice, maybe state  
9 AGs. And in that conversation we just briefly said we  
10 might have to have two, but it was -- it wasn't a  
11 specific discussion. It was more about us recognizing  
12 the difficulty in finding someone who will be perceived  
13 as impartial.

14 COMMISSIONER FILKINS WEBBER: And one further  
15 note in that regard, I think it's going to come down to  
16 the response that we get from potential candidates. So  
17 if we find somebody, obviously, that might come from the  
18 Department of Justice who is completely neutral, in our  
19 assessment, and unbiased, then we don't even need to get  
20 to the discussion of two. So I think it's really going  
21 to be dependent upon who responds to our solicitation.

22 COMMISSIONER BLANCO: Commissioner Ward, I  
23 wanted to comment on Commissioner Aguirre's point and  
24 make a suggestion. I think that as much as we want to  
25 really move quickly on hiring a Voting Rights attorney,

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1 it may take a while because of the problems we just  
2 identified. And we might be holding some hearings, and  
3 we'll definitely be conducting our own business, you  
4 know, before we do that hire. And maybe we could work  
5 with Mr. Miller to begin to at least do some -- take a  
6 look at some of the law, that the legal committee could,  
7 so that while we're waiting we aren't just navigating  
8 without any guidance.

9 And I don't know how other commissioners  
10 feel about that, but I would like to hear if  
11 commissioners would be willing to have the legal  
12 committee work with our counsel in the meantime to  
13 figure out if there is something we need, to do some at  
14 least initial training for the commissioners.

15 COMMISSIONER DAI: So I just wanted to respond  
16 to that. I think that's a great idea, and we obviously  
17 have your expertise and Commissioner Ancheta's  
18 expertise, so we should certainly take advantage of that  
19 in parallel as we are conducting a search.

20 CHAIRMAN WARD: Yeah, legal training was an  
21 agenda item for all subcommittees, so identifying  
22 areas of training for the Commission at large is  
23 absolutely one of the things that we're hoping that the  
24 subcommittees can identify and work with staff to  
25 arrange and accomplish as it comes up.

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1 Any other questions for the legal  
2 subcommittee? Comments?

3 Okay, Mr. Miller, you have an opportunity  
4 now to address the Commission.

5 I'll make a statement real quick. My  
6 understanding is that the public comments for the  
7 subcommittees was available during the subcommittee  
8 meetings yesterday and that we are going to offer public  
9 comments in the morning and before close of session this  
10 evening. So the public comments on this discussion will  
11 be able to be made, but we have it at the agenda time  
12 at approximately 5:30 this evening or at the end of  
13 session.

14 AUDIENCE MEMBER: I'm not sure that's really  
15 appropriate. I think during the subject matters it's  
16 more appropriate. But if you want to miss the  
17 opportunity, then go ahead.

18 CHAIRMAN WARD: Certainly don't want to miss  
19 the opportunity. That's why we're going to provide a  
20 period of time at the beginning of every session, at the  
21 end of every session for public comment. And I also  
22 encourage you. I know you've been diligent at being at  
23 our subcommittee meetings and you've been a great source  
24 of comment for us. And if you're not able to stay until  
25 the agenda time for public comments, then I encourage

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1 you to please put them in writing and submit them to us  
2 through the website, or you can call and make those.  
3 But the problem is, if we open this time up for public  
4 comments we'll never get through the agenda.

5 AUDIENCE MEMBER: I understand.

6 CHAIRMAN WARD: So that's why we have to,  
7 unfortunately, organize them.

8 AUDIENCE MEMBER: You simply might want to  
9 stop talking in acronymese and understand for the public  
10 that VRA stands for Voting Rights Act. It's only been  
11 mentioned casually.

12 CHAIRMAN WARD: Thank you so much. I  
13 appreciate that. Thank you.

14 Mr. Miller?

15 MR. MILLER: I think that was an excellent  
16 in-depth summary of our meeting and, as such, I have no  
17 other commentary to add.

18 CHAIRMAN WARD: Fantastic.

19 11:30. Next up was the technical  
20 subcommittee, but I'd like to propose that we go to  
21 communications.

22 COMMISSIONER FILKINS WEBBER: I had a  
23 misunderstanding regarding the agenda as well.

24 COMMISSIONER DiGUILO: Is it not finance  
25 and administration subcommittee was actually scheduled

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1 for --

2 CHAIRMAN WARD: But yesterday we discussed  
3 moving, switching legal and finance due to the finance  
4 subcommittee's recommendation.

5 COMMISSIONER DIGUILIO: Oh, I'm sorry.

6 CHAIRMAN WARD: Because so much of their  
7 agenda depends on what the other subcommittees came up  
8 with, it made sense to move them to the end of the  
9 slate.

10 COMMISSIONER DIGUILIO: I'm sorry.

11 CHAIRMAN WARD: But due to trying to push the  
12 agenda forward as much as possible, it seems like moving  
13 to communications might be an appropriate thing to do.

14 COMMISSIONER FILKINS WEBBER: The only other  
15 question that I had, Chairman, you had postponed from  
16 Thursday item "M," which was training, and so I thought  
17 we were under the impression that Mr. Miller, if I  
18 thought this was his area, we were just going to throw  
19 it under the legal, but unless you had some other idea  
20 of where "M" was going to go since you postponed it from  
21 yesterday.

22 CHAIRMAN WARD: That was my understanding,  
23 too. Mr. Miller, I thought, was satisfied with the  
24 Bagley-Keene discussion.

25 Did you have further Bagley-Keene

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1     comments to make, Mr. Miller?

2                 MR. MILLER: Well, there's always the  
3     potential for further comment.

4                 CHAIRMAN WARD: Okay, fantastic.

5                 MR. MILLER: Having said that, while it looks  
6     like a short and straightforward Act, it's sort of like  
7     Bible verses where the minister continues to refer back  
8     to that short phrase with additional insight every time.  
9     That said, I think in light of our decision to have a  
10    more fulsome training at the next Commission meeting,  
11    and where we are in the agenda, it makes sense just to  
12    hold that for now and try to do it in a comprehensive  
13    way at our next meeting.

14                CHAIRMAN WARD: Thank you, Mr. Miller.

15                         Did the Commission at large have any  
16    comments about Bagley-Keene?

17                         And we were going to try to lump in the  
18    rest of training towards the end of Saturday since we're  
19    going to be short on commissioners.

20                         Did you have anything additional?

21                 COMMISSIONER FILKINS WEBBER: Oh, I'm sorry.  
22    Are we done with item "M"? Are you considering that  
23    finished? Otherwise I have a question.

24                 CHAIRMAN WARD: Go for it.

25                 COMMISSIONER FILKINS WEBBER: Okay.

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1 CHAIRMAN WARD: We'll tackle item "M" at this  
2 point.

3 COMMISSIONER FILKINS WEBBER: When you put  
4 down here the sexual harassment and the ethics training,  
5 did you have any idea -- frankly, I would like my -- to  
6 be refreshed regarding our obligations. I thought that  
7 there was some time limitations for the Commission  
8 members to complete that, or at least there was some  
9 suggestion -- well, the six months on the ethics, but  
10 was there something else on the sexual harassment? In  
11 other words, what else could we -- just refreshing our  
12 recollection regarding the necessity for those  
13 obligations. I'm assuming that's why it was on the  
14 agenda, and just further clarification if there was a  
15 time limit on sexual harassment like there was for  
16 ethics.

17 CHAIRMAN WARD: Mr. Claypool has been tackling  
18 and running this issue down for us diligently, so I'll  
19 pass the mike to him.

20 MR. CLAYPOOL: Yes. And actually that item  
21 was placed on because I wanted to just give you an  
22 update on where we're at. The Secretary of State  
23 continues to try to get that sexual harassment training.  
24 Yes, there is a time limit on it. I believe it is less  
25 than the time limit for the ethics training, but I don't

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1 have that date in front of me. I don't believe we have  
2 passed it as a Commission, but the Secretary of State is  
3 still trying to decide whether she can offer it online  
4 or whether we're going to need to have it in person.  
5 Originally I believe Mr. Russo from the Bureau of State  
6 Audits had said that it needed to be an in-person  
7 instruction. I do not believe that that's the case with  
8 the Secretary of State's office.

9 COMMISSIONER DAI: Yes. Just to clarify, my  
10 recollection is that Mr. Russo had suggested that it be  
11 in person just to make sure. I think it was more a  
12 compliance issue if we have the full Commission here and  
13 take them away for an hour and do the training to make  
14 sure everyone actually had it.

15 COMMISSIONER FILKINS WEBBER: It was just more  
16 efficient for time if we had one person address the full  
17 Commission. Then everybody can have completed that  
18 obligation.

19 MR. CLAYPOOL: Well, I believe the Secretary  
20 of State's approach is to simply put it online because  
21 it's going to be easier for them to line that person up.  
22 And I think we're close to getting it online, and then  
23 we'll probably have a check-in so each of you -- we'll  
24 make sure that everyone gets that training.

25 COMMISSIONER DiGUILIO: Is that part of the

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1 ethics training, to see if we actually do the training?

2 MR. CLAYPOOL: It can look that way, can't it?

3 Thank you.

4 COMMISSIONER YAO: I'm aware that there are a  
5 number of law firms locally in this area that provides  
6 this kind of training on a regular basis. Would you  
7 like me to pursue and see if we can squeeze that in  
8 before we convene on Saturday? Or if you'd like to  
9 wait, that will be fine. But if you want to accelerate  
10 that I can certainly make a few phone calls and try to  
11 make that happen either today or tomorrow.

12 CHAIRMAN WARD: Are there special credentials  
13 required, does staff know, for what would be a trainer  
14 for sexual harassment and ethics at the government  
15 level?

16 MR. CLAYPOOL: I don't know whether there are.  
17 I would automatically assume that someone would have to  
18 have some facility in providing those types of services.  
19 I don't think that it would hurt us if that were a  
20 possibility, but that's a Commission decision. The  
21 Secretary of State, again, has been working on it, and  
22 clearly they have a lot of other things to do, so if it  
23 went off their radar I'm sure that wouldn't something  
24 that would bother them. But I don't know how quickly  
25 someone could put that together. That's all.

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1                   COMMISSIONER GALAMBOS MALLOY: I just wanted  
2 to clarify for purposes of the agendas that we've been  
3 working with. We had a discussion item related to  
4 trainings posted. I don't believe we had given public  
5 notice that we were going to actually have a training.  
6 Is that correct? Would we run into any issues there?

7                   COMMISSIONER BLANCO: While we're looking that  
8 up, I don't think we should do something quickly, just  
9 find somebody here and do it here even, if we're okay  
10 with notice. I think there are particular issues around  
11 being a State body and the kinds of issues that are  
12 very -- we're not the normal employer/employee situation  
13 that most of these training are geared to, having done  
14 them for many years myself. This is, I think, slightly  
15 different. There's just all kinds of technical things  
16 about definitions that are -- just would be very  
17 tailored to this body. So I would suggest that we not  
18 try and do something right now.

19                  COMMISSIONER FILKINS WEBBER: I agree. The  
20 Secretary is State is already underway, and if they're  
21 so close to getting it up on the web, that would be  
22 great.

23                  MR. CLAYPOOL: We'll speak with Ms. Mejia of  
24 the Secretary of State's office, and Kirk is going to  
25 work with us, too, to understand the exact requirements

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1 for it so that we meet them.

2 CHAIRMAN WARD: Let's go ahead and move on to  
3 item "M" and approval of meeting minutes, remaining  
4 meeting minutes outstanding. I understand the last  
5 session we had tabled that to give commissioners a full  
6 opportunity to review the record. I was wondering if  
7 there's any comments about those at this time or if  
8 we're ready to move forward and approve those minutes.

9 COMMISSIONER FILKINS WEBBER: I do have a  
10 question. Mr. Claypool, you had mentioned, if I'm not  
11 mistaken, that there was some public comment regarding  
12 the discrepancies in the minutes, and you had made  
13 comments earlier that you reviewed, or your staff had  
14 reviewed the video to make clarification regarding  
15 certain comments. I think the confusion was between  
16 Commissioner Raya and myself, and I was wondering was  
17 that what you were referring to, that particular public  
18 comment that questioned those inconsistencies?

19 MR. CLAYPOOL: No. Actually the confusion was  
20 between the transcripts and -- what was printed in them,  
21 and we had the transcripts changed to reflect what had  
22 actually happened. So we went to the audio and the  
23 video and made sure that we had the right person  
24 referenced in the transcripts. It wasn't with the  
25 minutes.

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1                   COMMISSIONER FILKINS WEBBER: So were the  
2 minutes corrected, though? Or the minutes were correct  
3 in accordance with the video. So the public comment  
4 that was made seeking corrections of the minutes were  
5 not accurate because the transcript wasn't accurate.

6                   MR. CLAYPOOL: Yes. And if I said the minutes  
7 then I was incorrect. I was referring to the  
8 transcripts, that there was a discrepancy between the  
9 transcripts as to who had had an attribution, and we  
10 have corrected that. But there were no discrepancies  
11 with the minutes.

12                  COMMISSIONER FILKINS WEBBER: So the  
13 individual who made the public comment could be assured  
14 that the minutes accurately reflect the video because  
15 his reliance on the transcript has since been corrected.

16                  MR. CLAYPOOL: Yes.

17                  COMMISSIONER FILKINS WEBBER: Thank you. Move  
18 to approve.

19                  COMMISSIONER GALAMBOS MALLOY: Second.

20                  CHAIRMAN WARD: Excellent.

21                  COMMISSIONER YAO: Could you specifically  
22 spell out which minutes we're approving for the record?

23                  COMMISSIONER GALAMBOS MALLOY: These would be  
24 the minutes from November 30th, December 1st, December  
25 10th, and December 15th of 2010.

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1 CHAIRMAN WARD: At this time is there any  
2 public comment regarding the approval of the meeting  
3 minutes from the time periods listed? If so, please  
4 come to the mike.

5 Fantastic. Seeing nobody approaching the  
6 microphone, let's go ahead and take a voice vote. All  
7 in favor of approving the minutes listed say "aye."

8 COMMISSION MEMBERS: Aye.

9 CHAIRMAN WARD: Very good. And all opposed  
10 say "no."

11 And any abstentions?

12 COMMISSIONER BLANCO: Yes. I wasn't in  
13 attendance for some of those meetings so I'll abstain.

14 CHAIRMAN WARD: So noted. Thank you.

15 COMMISSIONER ANCHETA: I'm also abstaining.

16 COMMISSIONER AGUIRRE: I'm abstaining as well.

17 COMMISSIONER PARVENU: I'm abstaining for the  
18 same reason as well.

19 CHAIRMAN WARD: Very good. Thank you.

20 MR. CLAYPOOL: Chairman, could we have just  
21 clarification on who moved?

22 COMMISSIONER FILKINS WEBBER: I moved and  
23 Commissioner Malloy seconded.

24 MR. CLAYPOOL: And to make sure we have the  
25 abstentions?

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1 (Raise of hands.)

2 COMMISSIONER GALAMBOS MALLOY: And just to  
3 clarify for the public, these minutes, this was 2010 and  
4 thus we were not seated as a full Commission and thus  
5 you note so many absences from that vote.

6 CHAIRMAN WARD: Pushing forward, does the  
7 panel have -- I hate to cut communications short on  
8 time.

9 COMMISSIONER DAI: There's one more action  
10 item under your agenda, which is whether we, as a  
11 Commission, agree that we will not do minutes moving  
12 forward and instead -- and this is relevant to the  
13 communications committee here -- is to try to do a  
14 wrap-up, a daily wrap-up at the end of the day of our  
15 accomplishments, decisions, actions, so that -- and have  
16 that posted on a regular basis, given that we have a  
17 full -- you know, live-streaming and we have transcripts  
18 and all that, that this is an additional burden on  
19 staff.

20 COMMISSIONER PARVENU: We make excellent  
21 talking points, too, when we communicate.

22 CHAIRMAN WARD: Any comments about ceasing to  
23 provide minutes since transcripts and video are present?

24 COMMISSIONER DiGUILIO: I would simply agree.

25 CHAIRMAN WARD: Do I hear a motion?

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1                   COMMISSIONER DAI: I would like to move that  
2 we not do formal meeting minutes moving forward.

3                   CHAIRMAN WARD: Motion on the floor. Comment?

4                   COMMISSIONER Di GUI LIO: I'll second.

5                   CHAIRMAN WARD: There's a motion on the floor  
6 to take a vote to cease providing meeting minutes in  
7 lieu of certified transcripts and video being available  
8 on the website.

9                   COMMISSIONER RAYA: May I ask a question of  
10 clarification. Moving forward from this date, the date  
11 that we just approved, from December 15th moving  
12 forward?

13                  COMMISSIONER DAI: Yes. In other words, no  
14 more formal meeting minutes other than the one we just  
15 approved.

16                  COMMISSIONER RAYA: Okay, thank you.

17                  COMMISSIONER YAO: I think it would be good to  
18 be able to capture all the decisions that we make, and  
19 the minute is such a vehicle. A minute is not a  
20 duplicate of the transcript nor a duplicate of the  
21 video, but a vehicle to capture whether we approve all  
22 the decisions during that period of time. Lacking that,  
23 we basically have to go back to the transcript or to  
24 some other vehicle in order to recover those kind of  
25 decisions. I just want to make sure that when we decide

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1 to do away with the minute we're okay in terms of using  
2 the transcript or other vehicles to recall the decisions  
3 that we make. So that's -- I on a personal basis don't  
4 have any issue on that, but lacking the summary of  
5 decisions could be problematic in the long run.

6 CHAIRMAN WARD: If I may intercede really  
7 quickly, I think one thing that would be -- just to  
8 organize this discussion to do is to determine whether  
9 or not official minutes are something we want to  
10 continue with, and then bearing the result of that  
11 conversation we can discuss things such as a meeting  
12 wrap-up that staff would be able to update  
13 accomplishments from each meeting or things like that on  
14 the site. So we can discuss other vehicles to perhaps  
15 provide that of a less burdensome nature. But if we can  
16 continue with the discussion of whether or not we want  
17 to continue to provide official meeting minutes and  
18 determine that, we can move on from there. Is that  
19 fair?

20 COMMISSIONER DAI: Just to clarify,  
21 Commissioner Yao, this is what I was saying, that the  
22 public information committee already discussed less  
23 burdensome ways of doing exactly what you just said,  
24 which I'd be happy to allow our communications director  
25 to go into when we do the committee report.

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1                   COMMISSIONER BLANCO: If that's going to be  
2 discussed can we wait until we hear what the suggestions  
3 are? Because I share a similar concern about the  
4 importance of capturing decisions in an accessible  
5 format before you come to the meeting, et cetera. So  
6 I'd like to hear what's been suggested before I do away  
7 with the minutes.

8                   COMMISSIONER PARVENU: And I just want to echo  
9 what Commissioner Yao said. When I said they make  
10 excellent talking points I had it in reverse order. I  
11 thought we were discussing maintaining either minutes or  
12 some sort of wrap-up. So I'm pleased with either one  
13 because I don't want to be caught off guard and the  
14 public not have those talking points available, freshly  
15 available from some form of summary.

16                  CHAIRMAN WARD: So we have a motion on the  
17 floor and it was seconded, and I'm hearing a desire to  
18 table that motion until after the communications  
19 subcommittee has presented. Can I hear that motion?

20                  COMMISSIONER BLANCO: So moved.

21                  COMMISSIONER AGUIRRE: Seconded.

22                  CHAIRMAN WARD: Okay. So the motion on the  
23 floor is to table the motion to reconsider providing  
24 official meeting minutes on the website until after the  
25 subcommittees have been able to brief and alternative

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1 vehicles are discussed.

2 Let's open that to public comment. Do we  
3 have public comment on that issue?

4 AUDIENCE MEMBER: Good morning, Commissioners.  
5 Jim Wright again. I echo Commissioner Yao's concern  
6 about presenting the decisions that are made. What's  
7 interesting to me --

8 COMMISSIONER ANCHETA: Chairman -- I'm sorry,  
9 Mister Wright. I think it's out of order for him --  
10 unless you're speaking on the tabling motion. He's not  
11 going to the original motion. Just procedurally, I  
12 think. I give you the floor.

13 AUDIENCE MEMBER: A misunderstanding. Do you  
14 wish me to proceed or not?

15 CHAIRMAN WARD: Please continue.

16 AUDIENCE MEMBER: Okay. As a citizen it is  
17 important for me to understand the decisions that you  
18 have made. It's not important to understand what  
19 discussion has occurred up to those decisions or on  
20 other matters. So if your minutes were to reflect only  
21 the decisions, that would be enough for me.

22 Thank you.

23 CHAIRMAN WARD: Thank you for your comment.

24 Any panel discussion? Okay, all in favor  
25 of tabling the original motion until after subcommittee

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1 presentations, raise your hand and say "yes."

2 COMMISSION MEMBERS: Yes.

3 CHAIRMAN WARD: All opposed?

4 Any abstentions?

5 Okay. I apologize to the Commission.

6 I've kind of let the agenda get away from me. We'll

7 tighten that up and push through the second half.

8 I'd like to propose that we go ahead and

9 break early for lunch and return back at 12:45. Great,

10 let's do that. We're adjourned.

11 AUDIENCE MEMBER: When is approximate

12 adjournment time today?

13 CHAIRMAN WARD: We're noticed until 6:30

14 tonight, but until we finish business today. So we

15 might move that forward a little bit, but the agenda

16 keeps us here until 6:30 at the latest. Thank you, sir.

17 (Recess from 11:47 a.m. to 12:54

18 p.m.)

19 CHAIRMAN WARD: Welcome back to the afternoon

20 session of the Citizens Redistricting Commission. We're

21 excited to see Karin MacDonald out there, ready to help

22 us out today.

23 The next item on the agenda is the

24 presentation from the technical subcommittee, and I'd

25 like to invite Commissioner DiGuilio to catch us up.

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1                   COMMISSIONER Di GUI LIO:   Okay.   Actually I was  
2   waiting on staff.   They were making copies.   And I don't  
3   see Janeece here so I'm wondering if it's imminent or...

4                   Part of it is because I think the  
5   discussion point would be very helpful.   We wrote up  
6   some material that Gil and I have actually gone through,  
7   and I think it would be very helpful if we had that  
8   before we discuss this.   Is there anything that I could  
9   defer to?   Is there any other little business, if we  
10  just gave Janeece maybe a minute or more?   I apologize.

11                  COMMISSIONER ONTAI:   While we're waiting can  
12  somebody get up and dance for us?

13                  COMMISSIONER GALAMBOS MALLOY:   I have a quick  
14  announcement.   I think I grabbed most of the  
15  commissioners over break, but tomorrow we'll be getting  
16  to scheduling our March Commission meetings, and so as  
17  of -- I'll put the cut-off as midnight tonight, if you  
18  have not entered your availability and unavailability  
19  for March.   We'll just assume the calendar is completely  
20  up to date and we'll use that to base our  
21  recommendations for March schedules.   Thank you.

22                  CHAIRMAN WARD:   Would you mind reviewing for  
23  everybody where the calendar is located and how to find  
24  it?

25                  COMMISSIONER GALAMBOS MALLOY:   Sure.   So if

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1 you are logged into Google apps on your CRC email,  
2 there's a couple different ways. If you worked with  
3 staff or installed yourself so you have the shortcuts  
4 actually on your desktop, there's a little link on my  
5 task bar that looks like a calendar that I click on, and  
6 when I open that the shared calendar pops up and I'm  
7 able to navigate, look at the month. So in this case I  
8 look at March. And I can go to any date and just click  
9 on that date and it opens up an event and it says  
10 "what." So in that case I put my initials, CGM,  
11 Commissioner Galambos Malloy, and unavailable on  
12 whatever dates I'm unable to meet, and then just click  
13 "create event" and it then populates, and then other  
14 folks are able to see your availability.

15 Now, if you don't have the shortcuts but  
16 you are able to open your redistricting email, when  
17 you're actually in your redistricting email and you look  
18 up at the top of your screen, it should give you some  
19 different links you can click on. Up at the very top  
20 left of your screen it says "mail" as the top left.  
21 Then it has "calendar," "document," "sites," "contacts,"  
22 et cetera. If you just click on "calendar," that's  
23 going to open up your calendar in another window and you  
24 can go through the same process there.

25 When we go to break at 2:30 break feel

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1 free to grab me. If you have any trouble opening the  
2 Google calendar I can walk you through it.

3 Thank you.

4 COMMISSIONER BLANCO: Can I make a -- since  
5 we're on computer information item of the agenda,  
6 somebody mentioned the problem with the conversations in  
7 Google, that was causing a problem, and I just wanted to  
8 let folks that don't know this that you can go into the  
9 settings in the email and change it. If you don't want  
10 to have them all lumped together you can actually change  
11 it to see it in the other, old-fashioned way where you  
12 would get each mail, email individually. Just go into  
13 settings, scroll down, and you can get out of the  
14 conversation mode, and that problem that people were  
15 having with losing emails in the conversation, they can  
16 just reset their settings.

17 COMMISSIONER PARVENU: Thank you,  
18 Commissioner Blanco. I didn't know that.

19 And, Commissioner Galambos Malloy, if you  
20 don't see any non-available dates, that means I'm  
21 available for the entire period, so I have nothing to  
22 fill in.

23 COMMISSIONER GALAMBOS MALLOY: And I'll assume  
24 as of midnight tonight that if somebody is not showing  
25 any conflicts that that means that they are available.

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1 I'd also suggest that for tomorrow's  
2 scheduling purposes March is the minimum that we'd like  
3 to have you weigh in on your calendar, but to whatever  
4 extent you're able to go ahead and start looking at  
5 April, start looking at May, these are the months where  
6 our outreach efforts are really going to take precedence  
7 and so it would help that we can just begin to forecast  
8 what our schedules will be.

9 COMMISSIONER DiGUILIO: Okay, I've come up  
10 with an idea. Part of the bane of this for me was  
11 dealing with Google Earth, or the Google Chrome, having  
12 everything up in the Cloud. I couldn't get it out to  
13 get printed. But apparently you can share documents.  
14 So if we'd like to have the discussion, I've given I  
15 think permission to everybody to go into documents and  
16 to view to at least start us off so we can be a little  
17 more efficient. There are three documents I've placed  
18 there: the outreach coordination flow chart, the  
19 subcomm, which I like to refer to as the subcomm  
20 discussion points, and the quick guide to CRC outreach.  
21 I would suggest opening up the outreach coordination  
22 flow chart first. The only disadvantage to that is  
23 there are no lines. Do you have access to that?

24 Okay. And I'm sorry, let me preface this  
25 very quickly with it was a very late night, not a lot of

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1 sleep, so I apologize for any things that are unclear or  
2 typos, and I would really appreciate as we go through  
3 any feedback that you may have in regards to this. I've  
4 also had a chance to talk with Gil, and what we've  
5 decided to do is, because technology and outreach really  
6 do flow together so often, and we've talked with the  
7 consultants as well, and we're going to kind of have a  
8 free-flowing discussion a little bit. I'll present  
9 first, then Gil, and I think along the way you'll see  
10 how things kind of interact with each other, if that  
11 will work for the commissioners.

12 Okay. So being a person who is a visual  
13 person, I put together -- first of all, I wanted to  
14 start with the flow chart so as we go into the  
15 discussion you'll have an idea of where all these  
16 players and aspects fall.

17 What we see is the subject experts, the  
18 content drivers of what will happen with a lot of the  
19 outreach activities, that being on the top row you'll  
20 see technical consultants such as Karin MacDonald, as I  
21 mentioned earlier the VRA consultants, commissioners  
22 also providing some of the content or decisions for  
23 that, as well as others as needed. Those subject  
24 experts would funnel down into the outreach meetings  
25 which is -- there's a typo -- the project management, or

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1 actually what's been suggested in a conversation was  
2 coordinator, the outreach meeting coordinators. And  
3 that would be, under this type of outline would be the  
4 Center For Collaborative Policy, CCP. They would all  
5 provide them information and the feedback to CCP, who  
6 would then be able to develop the material and start  
7 structuring some of the meetings. They would coordinate  
8 those efforts.

9                   And then below that, if you look below it  
10 there's actually -- there's logistical consultants, the  
11 CCE. And I don't know what that stands for actually.  
12 It's a sister organization of CCP. But they actually  
13 get on the ground, find the locations, make sure there's  
14 enough tables, chairs, all that. And they would be then  
15 reporting as well to the project manager coordinators,  
16 as well as the means/services providers, translation  
17 services, interpreters, online/offline support, all  
18 those things that happen. We'll also -- back to the  
19 coordinator. And the outreach partners, including  
20 making sure that we are on the same page with our  
21 partners and we are utilizing what they're doing.

22                   So you can see, again, the coordinator,  
23 the management of what's going on, CCP, would take all  
24 of these. And since we had made the decision, as Dan  
25 had mentioned, to take some of that, what he had

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1 suggested as staff, and instead to contract that out,  
2 this would be an opportunity for all the consultants to  
3 provide their expertise and have these actual outreach  
4 meetings be coordinated in a central location.

5 Now, this would also involve -- there's a  
6 line that goes to Dan, who would be the one that would  
7 oversee the interactions between the contractors, as  
8 well as CRC staff who would be probably providing some  
9 of our public information, our outreach efforts to make  
10 sure we're coordinating with the efforts of the outreach  
11 group. And we would make sure -- I put on the far right  
12 the commissioners, and that way there was a line that  
13 went from Dan to make sure Dan kept in touch with the  
14 commissioners, as well as there's a line from the  
15 project managers to the commissioners so that we can  
16 keep that flow of information. So I know it's kind of  
17 hard looking at this online without particular lines,  
18 but that's an idea. So as we go through this maybe you  
19 can refer back to it.

20 The next document I wanted to talk about  
21 was the quick guide, the quick guide one. And this came  
22 about because it became very evident yesterday when we  
23 were in a discussion that -- we had presentations from  
24 Karin as well as CCP, and we realized one of the first  
25 things we need to do is just get on the same page in

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1 terms of terminology and defining the players and  
2 responsibilities, because there's a lot of different  
3 aspects going on out there.

4               So the first thing was to define who the  
5 players are, the outreach consultants, and the first  
6 ones being the technical consultants, Karin. And I've  
7 started to use some acronyms. KMD would be Karin  
8 Mac Donald. And there's some description there of what  
9 she would be doing, some of the services, her expertise.

10              I went down to project management, the  
11 Center for Collaborative Policy, again to assist in the  
12 implementation of the open hearing process, and I will  
13 kind of defer some of their speciality to Gil in the  
14 discussion later on. Again, realizing that a lot of the  
15 subject input, the requirements of technology and the  
16 Voters Rights experts, would all funnel into the  
17 coordinator to be able to make sure that what we were  
18 doing in the outreach system was on par.

19              Again, there would be a meeting logistics  
20 coordinator, and I left room there because if I ever  
21 find out what CCE stands for I can put that in. But,  
22 again, as I said, it's a sister organization to CCP,  
23 and, as they had mentioned, that when they had worked  
24 for Ditas on the census it was -- they were the ones who  
25 were on the ground doing the legwork, the small details

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1 that Peter so graciously did, and all our eyes rolled  
2 back and said I can't determine whether we need a skirt  
3 or a microphone or whatnot. So they would be the ones  
4 who would actually go and scout locations on a regional  
5 and they'd come back to CCP and say, "Here are some  
6 options. Based on the parameters that you need, here  
7 are your possible meeting locations," wherever we hold  
8 our actual outreach meetings.

9 And again VRA counsel to be determined  
10 and others.

11 And on the bottom I just put a note about  
12 the necessity, again, for all these consultants to work  
13 collaboratively together and to make sure that  
14 communication is ongoing between our staff, themselves,  
15 and with the commissioners and subcommittees.

16 Now we get into defining outreach, and  
17 we've been using this term. It occurred to us we've  
18 been using "outreach" and it has a lot of different  
19 aspects to it, so I wanted to go through and clarify for  
20 the rest of the Commission what we've been discussing in  
21 the subcommittees. And it's been broken down into two  
22 main groups, and the first is the educational -- let me  
23 back up again. I've referenced the terminology that's  
24 been used by Karin, which is "educational meetings," and  
25 the terminology "community workshops" has been

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1 referenced by CCP.

2 So there are some handouts I think that  
3 were supposed to be distributed, so I've put in there  
4 the reference to those documents in terms of the  
5 sections, so you can go back on your own leisure and  
6 look at the actual documents from Karin. And I also  
7 believe that CCP will be handing out some things and you  
8 can refer to how they described these as well.

9 So, basically, again, the educational  
10 meetings are informational, including a training  
11 component. It does not require commissioner attendance.  
12 Of course you can attend if you'd like to in terms of an  
13 opening statement, but it wouldn't be for feedback.  
14 Approximately four hours in length, weekends, nights, to  
15 try and capture as wide a range of public as possible.

16 And how they've envisioned, both Karin  
17 and CCP, is something along the lines of -- and this is  
18 something I'd like the Commission to consider -- but  
19 seven educational meetings. And these were -- the sites  
20 were mirrored for the redistricting assistance sites,  
21 with the exception that Berkeley you could put in, but  
22 there's been a lot going on already in that location so  
23 we may not necessarily have to do that again.

24 And again the Salinas/Watsonville, I  
25 could have Karin talk about that later. Although it's

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1 not a high population area, but its proximity to  
2 Section 5 counties, both Monterey as well as -- you'd  
3 have to come in from the central valley to capture the  
4 other ones, but it is in geographic proximity. And  
5 there is a map of that as well in Karin's material. I  
6 wish I had that for you right now. And, again, there's  
7 just some additional aspects of that.

8 So, again, those are the educational  
9 meetings. Those can happen immediately.

10 The next thing, though, is the input  
11 hearings, and I think that's -- input hearings, as Karin  
12 has termed them and public hearings as CCP has  
13 mentioned. And this is really the data collection and  
14 testimony given to us as the Commission. This does  
15 require commissioner attendance. It can be conducted  
16 jointly. The suggestion was made by consultants that it  
17 can be made jointly with our regular business meetings,  
18 but, if that's so, the suggestion was to save  
19 commissioner business to the very end so we could be  
20 respectful to people.

21 The educational component of this, which  
22 I think has been something that commissioners have asked  
23 for frequently, is referred to, the CCP, as the  
24 prehearing educational sessions. And that would be  
25 included as well to give participants, or attendees an

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1 overview.

2 I'll skip some of the other things.

3 There's some methodology for why these nine -- there's  
4 some nine regions that were suggested. There's some  
5 methodology that Karin provided. You can look at it  
6 later. But basically the nine regions that Karin has  
7 broken them down into, you can see these regions in  
8 terms of population centers. I think CCP maybe  
9 suggested more. There's one more maybe on the north  
10 that the Commission may want to consider as well, too,  
11 geographically.

12 So, again, these would be -- looking at  
13 the nine different regions, then, as Karin had mentioned  
14 to us in her presentation back in Sacramento, there are  
15 three phases, as she envisions it, as what we're kind of  
16 trying to capture. The phase one would be the before  
17 the census data is released. Our initial meetings, if  
18 we want to hit the ground running as soon as possible,  
19 that would be phase one, before the census data is  
20 released. Phase two would be as we're drawing the maps  
21 using the census data and initial public input. It  
22 would be the opportunity where I think this is -- Gil  
23 and I had talked about this. This would be the area  
24 where we'd probably get the most attendance because we  
25 would be presenting some options and we'd be getting

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1 feedback and a lot of back and forth. The final phase,  
2 phase three, would be simply when we finalize the maps  
3 and we're going back to the community one more time.

4               So the potential structure for the public  
5 input hearings, if you wanted to follow this model with  
6 nine regions, if you look at at least one meeting per  
7 phase as kind of the bare minimal starting point, you're  
8 looking at 27 meetings. If you looked at something  
9 where -- if in anticipation of phase two being an area  
10 where there will be a lot of discussion you may want to  
11 have at least two meetings or more. So, again,  
12 exponentially you go to 36 and so on.

13               I think the other thing to note with  
14 this -- and I know Commissioner Parvenu, this was a  
15 point that he had raised, too -- was during these public  
16 input hearings that they would rotate within each  
17 region. So during the different phases, phase one may  
18 be held in one location in one region and then it would  
19 move to another location for the next phase, so  
20 hopefully we could reach as much geographic outreach and  
21 diversity as possible within those phases. And I will  
22 let CCP talk about the additional outreach as they  
23 described it. It was the commissioner-initiated, some  
24 online resources and offline.

25               So my intention with this was to give you

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1 something you could look back at and say, when we're  
2 talking about these issues, this is what we're  
3 referencing, and hopefully get us on the same page with  
4 some suggested terminology.

5 So, lastly, this is where we'd like to  
6 get some feedback from the Commission as a whole. The  
7 discussion points for the full Commission is the last  
8 one.

9 So I've done a lot of talking. I've  
10 handed you some material. Now you have it. I just  
11 wanted to get some feedback from you as we go through  
12 this about if the structure we provided so far makes  
13 sense to you, and any corrections, revisions, and  
14 additions.

15 Maybe it might be helpful to discuss the  
16 scheduling of the outreach meetings. As I mentioned  
17 before, the educational workshops can begin immediately.  
18 And, as I understand it, we have it scheduled, the first  
19 one, tentatively for the February 26th, that Saturday.  
20 And Karin again can maybe speak to this later on, but  
21 this is apparently something that can be rolled out  
22 pretty quickly, particularly in conjunction with the  
23 rollout of the redistricting assistance centers, too.  
24 So if that were the case we could at least schedule that  
25 first one, with the remaining six to seven workshops

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1 taking place soon, within March, to get that up and  
2 running.

3 In regards to the public input and  
4 testimony hearings, I tried to do a little who, what,  
5 when, where, why, how, but late at night things get a  
6 little blurry, so bear with me.

7 The first -- and this is a very key  
8 point. This is a starting point for us. We have to  
9 determine the level of commissioner participation at  
10 these meetings, at these hearings, whether it's going to  
11 be full attendance or partial attendance. Gil raised  
12 the point -- Commissioner Ontai raised the point that  
13 there may be a legal aspect if we need to be there, but  
14 also just commissioner desire. Because obviously with  
15 the full Commission it's going to significantly reduce  
16 the amount of meetings we can do. If it's a partial,  
17 then that will drive to some degree what the consultants  
18 will do with how to structure these meetings and where  
19 to structure them.

20 So once we have determined that, we'd  
21 like to task the consultants with beginning to plan  
22 phase one meetings immediately so that we can get those  
23 noticed as soon as possible. We see those meetings  
24 taking place beginning in mid-March -- I'm sorry, the  
25 "when" would be beginning in mid-March and going to the

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1 end of let's say April. And these, again, could be done  
2 simultaneously with educational workshops. And also,  
3 then, we would need to I think almost at the same time  
4 begin planning the phase two because I think that's  
5 where probably the most number of meetings will actually  
6 need to take place. And part of that is also so we can  
7 get the logistical subcontractors to find locations in  
8 these spots so they can be noticed in addition to the  
9 times.

10                   Where. I think the other point I'd like  
11 the commissioners to consider would be if you would like  
12 to discuss a strategy for the actual outreach meetings.  
13 There have been some suggestions we could start in the  
14 north and work down if we're doing it on an individual  
15 region basis. If we're going to do it on a partial  
16 commissioner attendance, we could do it simultaneously  
17 within each region. There's also been some discussion  
18 starting at the Section 5, VRA Section 5 counties and  
19 working out. I think these things, once we get this  
20 nailed down, we can give some marching orders to the  
21 consultants.

22                   Again, regionally -- so let me take a  
23 pause there before we go into some of the last ones, the  
24 finance, training, and additional points, and throw it  
25 out based on some of those -- the information I

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1 provided. And let me let Vince add some things, as  
2 well.

3 COMMISSIONER BARABBA: Relative to the  
4 Commission participation, I would think at least at the  
5 initial two or three of them we should have the whole  
6 Commission there, because there's going to be a lot  
7 learned. And once we gather that understanding of  
8 what's going on, then we can decide whether we need to  
9 attend all of them as a full Commission or whether we  
10 could split them up and increase the number that we  
11 could do and things of that nature. But it would be  
12 hard, based on the public input that we received at the  
13 subcommittee discussion, to translate that into terms  
14 that might be sufficiently meaningful to the whole  
15 Commission. So I think there's a lot to be learned by  
16 all of us participating in the initial ones, and then we  
17 could decide, based on that experience, whether we think  
18 we have to attend all of them as a Commission or whether  
19 we can split it up.

20 COMMISSIONER DAI: I would agree that there  
21 probably is a lot to be learned, but I wouldn't want to  
22 hold up our planning based on that. I mean I think we  
23 can advise that most commissioners try to attend the  
24 first couple, but I think that we had discussed before  
25 at previous meetings about splitting up and dividing and

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1 conquering and just having at least three commissioners:  
2 one republican, one democratic, one decline to state, as  
3 a minimum group.

4 COMMISSIONER FILKINS WEBBER: If I may, on  
5 that point, Commissioner Ontai, can you tell me the  
6 context which your concern regarding the participation  
7 of the full Commission came about? In other words,  
8 there seemed to be some concern about if the full  
9 Commission didn't appear at these meetings whether we  
10 would have -- there'd be some legal restriction on our  
11 ability to vote. I mean certainly the information in  
12 the public outreach would be available to us if we were  
13 not present, probably online or Google Cloud or there'd  
14 be some other ways that Commission members that couldn't  
15 attend the public outreach meetings. So in what context  
16 did that issue come up?

17 COMMISSIONER ONTAI: My thinking on that was  
18 when we publish a trial map, our first draft map, I  
19 believe Bagley-Keene regulations require that we have at  
20 least nine commissioners present at any of these formal  
21 public meetings. And let's say -- we have fourteen  
22 commissioners here. Let's say thirteen of these  
23 commissioners are at one of these meetings, formal  
24 meetings where we're discussing a map for let's say  
25 Riverside County. And then subsequently in August when

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1 we have to finalize that map and submit that, is it a  
2 problem, is it going to be a problem for that  
3 commissioner that was not present at a critical moment  
4 when the communities in Riverside County were discussing  
5 and giving us feedback on their map? Is it going to be  
6 a problem, that that one commissioner who was not  
7 present at that hearing would present a legal issue to  
8 us?

9 COMMISSIONER FILKINS WEBBER: So you're  
10 looking at the later phases, not outreach meetings  
11 necessarily where we're gathering public input.

12 COMMISSIONER ONTAI: That's right.

13 COMMISSIONER FILKINS WEBBER: Okay, I'm sorry.  
14 So that's further down the road. Okay, thank you.

15 COMMISSIONER BLANCO: But is your concern that  
16 the commissioners that weren't present gathering the  
17 information and they're then voting on the information  
18 as contained in the map?

19 COMMISSIONER ONTAI: Yes. I believe the  
20 ex post facto regulations or ruling is that if this  
21 missing commissioner was not privy to all of the  
22 information that was presented at this community  
23 meeting, would that be a challenge for that individual  
24 commissioner to vote on that final map for that  
25 district.

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1 CHAIRMAN WARD: If I may, can I invite Kirk  
2 into the conversation to see if he has any expertise in  
3 day three?

4 MR. MILLER: I understand the concern and that  
5 in other settings that might be the case. I don't  
6 believe that the law that's governing this process would  
7 preclude that commissioner from participating, for a  
8 couple of reasons. In particular, you do have access  
9 through the systems we've developed to all of that  
10 information, and that's fundamentally the important  
11 thing. And then, you know, it's not quite like a trial  
12 where we're each evaluating the credibility of a witness  
13 in terms of how someone presented to the public.

14 So for this purpose an official meeting,  
15 if you will, a noticed meeting would require a minimum  
16 of three commissioners to participate. But that's  
17 really record building. And when you vote on the maps  
18 we would expect everyone to be present, to have reviewed  
19 the record, to have heard experts present on the  
20 particular map that's at issue, the pros and cons of  
21 that map. And, using that methodology, I think you  
22 would be complying with the requirements of the Act.

23 CHAIRMAN WARD: Great. Thank you, Kirk, for  
24 that.

25 I'll get right to you. I understood

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1 Karin Mac Donald might be making a presentation. I  
2 understand she's not. I just wanted to invite her maybe  
3 to join at the microphone, and she stepped out. Okay.  
4 We'll get her expertise on the record as well, since  
5 she's been one of the primary people that's been  
6 recruited to help drive some of these planning. Since  
7 we have her here in the building it would be nice to  
8 have her as part of the conversation. Thank you.

9 Commissioner?

10 COMMISSIONER BARABBA: The issue about where  
11 we get started and the notion that we might all want to  
12 attend some of the initial meetings, it might better,  
13 rather than going way up north, is to pick a spot like  
14 Fresno where it's easy for the entire Commission to get  
15 to. That might make it easier for us to all show up.  
16 It would be less expensive and things of that nature.  
17 So maybe the first couple should be more in the central  
18 part of the state so that we could all find it easier to  
19 get there.

20 COMMISSIONER YAO: In addressing the  
21 attendance issue, in reading the text that you have, you  
22 want to start by mid-March and you want to finish by  
23 early April. That basically is about three weeks, and  
24 we have nine meetings, so that pretty much dictates  
25 three meetings a week. And we're about to address our

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1 business meeting in March. I think we're probably not  
2 going to have as many days as you have scheduled us. So  
3 I think the full Commission attendance is really out of  
4 the question altogether.

5 COMMISSIONER DiGUILIO: And I will defer. I  
6 don't know, Gil, if you would like to do -- well, at  
7 some point I think Commissioner Ontai will also present  
8 a draft of a timeline that he's shown, actually that you  
9 saw, but it might be nice for the full Commission to see  
10 how tight -- you're right -- how tightly and compact  
11 those meetings are going to have to be.

12 So, again, I think if the Commission  
13 recognizes that they'd like maybe the first two, as  
14 Commissioner Barabba suggested, the first couple, the  
15 full Commission wants to participate, that's doable.  
16 But if we really wanted to go out there and reach a lot,  
17 increase our level of outreach, then we have to divide  
18 and conquer, based on time.

19 COMMISSIONER GALAMBOS MALLOY: Another  
20 consideration based on the structure that's being  
21 proposed here is that a higher share of outreach  
22 meetings would fall upon the decline-to-state  
23 commissioners because of the actual numbers of the  
24 composition. So if we really wanted to have one from  
25 each: democratic, republican, and decline to state,

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1     logistically I think we'd have to map that out because  
2     we would be going to more hearings overall.

3             CHAIRMAN WARD: Is that a requirement that  
4     we'd agreed needs to be filled, that there would be one,  
5     one and one?

6             COMMISSIONER DAI: It's not a requirement. It  
7     was just something we had discussed as probably in the  
8     spirit of the Act.

9             CHAIRMAN WARD: Was that a formal motion made  
10    that was passed, does anyone recall?

11            COMMISSIONER GALAMBOS MALLOY: No, I think it  
12    was a principle that we discussed as a potential goal.

13            COMMISSIONER DAI: It was not a formal motion.

14            CHAIRMAN WARD: Thank you.

15            COMMISSIONER Di GUILIO: So am I hearing that  
16    the -- I guess I'm hearing a little bit. And maybe  
17    Karin wants to discuss this, too. I believe her  
18    recommendation was for the full Commission to attend as  
19    many meetings as possible, but I think we're trying to  
20    balance that with the desire for commissioners to be out  
21    there. So maybe Karin wants to address that, but it  
22    would be nice to have some consensus as to what we do  
23    with that so we can move forward.

24            MS. Mac DONALD: Yeah, thank you.

25                    Yeah, I think it's very important that as

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1 many of you as possible attend the input hearings  
2 because that's going to let you rely a little less on  
3 staff interpretation, at some level, and you will all be  
4 privy to the same information. Because there's just one  
5 thing about reading it in a transcript or having it  
6 noted it down, because of course we'll have note-takers  
7 and we'll have people summarizing, and we'll also have  
8 this input database where everything will be captured.  
9 But it's really a different story when you're really  
10 standing there and you're interacting with the public  
11 and the public can really just make their point.

12 We had a really great case here  
13 yesterday, in fact, during our hearing when a gentleman  
14 came in and told us about his community of interest.  
15 And, you know, I mentioned it at the time as well. It  
16 would look completely different on a piece of paper as  
17 it did actually yesterday during the interaction. So I  
18 think you really have to give some thought to that.

19 I think during the educational hearings  
20 when we're going out and doing these workshops you don't  
21 necessarily have to be there. But the input hearings,  
22 that's a different story. So I don't know how much I  
23 can urge you to really look at your calendars and really  
24 try to come out. There will be just a lot of decisions  
25 where you have to weigh perhaps conflicting testimony,

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1 and what you see in these hearings will be very  
2 important.

3 CHAIRMAN WARD: Commissioner Aguirre?

4 COMMISSIONER AGUIRRE: Yes. And I would  
5 concur with what Karin is saying. But it is a very  
6 short timeline, and although not all fourteen  
7 commissioners might be available to go to every corner  
8 of California for these input hearings, certainly  
9 another standard might be that as many as possible  
10 should try to be there. And if it so happens there's  
11 only three that are available to go, given the schedule  
12 that is provided, so be it. But certainly I agree that  
13 so-called the gestalt of being present as the  
14 information is provided really imprints the seriousness  
15 and the urgency that will be communicated by the public  
16 presenters.

17 COMMISSIONER YAO: Just a question on the  
18 educational meeting. How are we going to be able to  
19 manage not accepting inputs from the public?

20 MS. Mac DONALD: Well, I think the public at  
21 those hearings can perhaps start developing some of the  
22 input. And you have not really set up a structure,  
23 aside from the hearings, by which you will accept input.  
24 I'm assuming there's going to be an address where people  
25 can mail it. I'm assuming there's going to be an email

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1 address. There may be some other web interface by which  
2 the public can submit input. What I'd like to not have  
3 happen is lots of consultants and lots of moving pieces  
4 at these hearings and then somebody just passing a piece  
5 of information on, assuming that that's going to go to  
6 you and there is no channel set up by which that's going  
7 to happen. So I think we can absolutely help the public  
8 develop things. Then there has to be some sort of an  
9 avenue set up by which they can actually get the  
10 information to you.

11 COMMISSIONER YAO: Yeah. Have we set up  
12 public meetings of this nature where we do not allow the  
13 attendees to input back to the presenter? In other  
14 words, it's a one-way communication. How do we get this  
15 message out saying, "We don't want your input." Or,  
16 "We're not allowed to accept your input during this  
17 educational meeting."

18 MS. Mac DONALD: Well, for one, if no  
19 commissioners are there and these are really educational  
20 events and they're like training workshops like the ones  
21 that we've been doing for a year now, then even though  
22 this is something that you're organizing, I'm not sure  
23 that there will be an expectation that you will be  
24 receiving this input, especially not if we have a  
25 handout that says, okay, so if you have this ready to go

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1 or if you need to go back to your community and refine  
2 it, this is how you then get it to the Commission so  
3 that the Commission will have it officially.

4 COMMISSIONER BLANCO: Commissioner Yao, I  
5 think you're referring to something else, correct, which  
6 was the issue that -- I think there was some instruction  
7 or advice given to the Commission at one point that when  
8 we receive public input that we're not allowed to engage  
9 in a back-and-forth with the people that are making the  
10 public comment.

11 COMMISSIONER YAO: Right.

12 COMMISSIONER BLANCO: I think that's the  
13 concern.

14 COMMISSIONER YAO: I'm not challenging it.  
15 I'm just basically saying that if that is what we agree  
16 to, we probably should not have any commissioners attend  
17 the educational session. Because if we're there and we  
18 refuse to accept public input, that by itself is  
19 problematic, okay? But if we agree not to attend any of  
20 the educational sessions, where we have no ability to  
21 receive the input, then let's send that message out and  
22 work to that agenda.

23 And I guess, as I said, I'm not  
24 challenging it. I just want to make sure that we have a  
25 process where we can manage the expectation.

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1 CHAIRMAN WARD: Commissioner Dai, your light  
2 was on and went off because you've been waiting so long.

3 COMMISSIONER DAI: I was just going to provide  
4 some context for the public and just to remind the  
5 commissioners from our past meetings that originally  
6 when we talked about splitting up in teams of three,  
7 that was when we were working with a much larger number  
8 of public hearings that we had been discussing that were  
9 in the kind of pre-map drawing period. So I just wanted  
10 to concur with Commissioner Aguirre's suggestion, which  
11 is that we try to have as many commissioners as  
12 possible, but also I would not want that to hold things  
13 up. So if someone can't attend, someone can't attend.

14 CHAIRMAN WARD: Commissioner Filkins Webber?

15 COMMISSIONER FILKINS WEBBER: I think what the  
16 issue is -- and I concur with Commissioner Yao. Is it  
17 possible that when we provide notice of these  
18 educational workshops we call it simply that. It's a  
19 workshop and not a public hearing. So when we provide  
20 notice or information on our calendars we can put a  
21 paren on there that this is not a public hearing, or,  
22 you know, please be advised the public input hearings  
23 are further on the schedule or something of that nature.  
24 So despite the fact that if there is a commissioner who  
25 wishes to attend, it won't be in a formal setting such

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1 as this.

2 And I'm certain that you've done this  
3 before, and I'm certain counsel -- oh, he just left --  
4 would probably concur, if we're not considering it a  
5 public hearing, it's just a workshop, there might be a  
6 difference as far as there may not be a mandate for  
7 allowing public comment when it's really an educational  
8 workshop.

9 CHAIRMAN WARD: Commissioner Aguirre?

10 COMMISSIONER AGUIRRE: And that speaks to the  
11 clarity of our communication with the public. We have a  
12 communications director and a format that has been  
13 developed by the outreach committee on consultants that  
14 essentially will describe kind of each phase of the  
15 process. And if the public is clear with that, each of  
16 those phases, and how the public can participate, then  
17 we will be ahead of the game.

18 The other thing has to do with  
19 participation of the commissioners. One suggestion was  
20 that you could have -- because we want to honor,  
21 wherever we go in California, that perhaps one  
22 commissioner can be present to kind of give the welcome,  
23 say a little bit about the Commission, where we are at  
24 this point, clarify that we're not there to take input,  
25 that the input is going to be at a later date, perhaps

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1 in that region scheduled for that date at that time at a  
2 certain location. Kind of provide that clarity. And  
3 then simply kind of like walk out the door and then let  
4 the consultants that are handling the educational aspect  
5 of that educational workshop, then they take over.

6 The other -- in the absence of a  
7 warm-body commissioner at these, one suggestion was to  
8 kind of do a video of one or two or three commissioners  
9 where you would kind of communicate the same  
10 information, thereby providing, quote unquote, a face to  
11 the Commission in the absence of -- one of us that would  
12 essentially recognize the value of the participation of  
13 the public and, therefore, you know, meet the objective  
14 of reaching out, even if it's in a symbolic level.

15 CHAIRMAN WARD: Commissioner DiGiulio?

16 COMMISSIONER DIGIULIO: Just address a couple  
17 issues. Going back to Commissioner Filkins Webber's  
18 point, that's part of the reason why it was very  
19 important to get the terminology correct. It's very  
20 important to distinguish between educational workshops  
21 and the public input hearings. So I think that would be  
22 the terminology we as commissioners need to start using  
23 even when we're discussing this so that way we don't  
24 just say "outreach," because that means different things  
25 depending on what we're talking about.

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1                   And to go back as well, part of the  
2   reason I tried to do a little bit of a flow chart was,  
3   in your mind -- and I think CCP will discuss it a little  
4   bit more, too -- it was hard as a technical subcommittee  
5   to just talk about the technical aspects because it's  
6   intertwined with what's going to happen. But if you  
7   envision this as the technical consultant, Karin, she  
8   knows the data. She knows what we need to utilize. She  
9   knows how to capture, to collect the information, all  
10   the technical aspects. It wouldn't be her job to run  
11   the meetings to make sure all the people are getting  
12   their information to -- to be presented. It would be  
13   more the project coordinator to be able to make sure  
14   that everyone has the information that they need to know  
15   for the educational aspects, that they're prepared and  
16   ready when their name is called to come up to the  
17   microphone and say, "This is what I'm going to present."  
18   They'd be able to give their information clearly and  
19   precisely so that we could capture it, so we could  
20   hopefully have a better format for capturing that.  
21   Those information could be developed by the coordinator  
22   so that we can streamline this process so hopefully all  
23   of it can move very quickly.

24                   But, again, it's this idea of trying to  
25   play to the strengths of our consultants. So Karin

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1 would be able to drive the process for what's needed.  
2 The project coordinators can implement that, and we as a  
3 Commission can get back what we needed.

4 MS. Mac DONALD: May I chime in for a second?  
5 That's absolutely correct. I wanted to add to this  
6 actually a couple of things. One was, just going back  
7 in the discussion to earlier to how many of these input  
8 hearings we should have, I'd actually also -- I would  
9 like to suggest that there is one input hearing during  
10 each phase that just focuses on statewide issues. So we  
11 should add that. So that groups that are working on a  
12 statewide level have a forum in which to present the  
13 information. I think that's an appropriate thing to  
14 consider as well.

15 In terms of what happens at these  
16 educational workshops -- and I should tell you what I  
17 just passed out. So your very hands-on executive  
18 director and I just collated these documents. These are  
19 the documents I developed in collaboration with  
20 Commissioner DiGuilio and Commissioner Barabba. And the  
21 first document says draft 2-10-11. This is basically --  
22 this is a lot of the more detailed information that  
23 Commissioner DiGuilio has summarized in her flow chart  
24 and has presented to you. But there's just a little  
25 more detail in there, if you'd like to refer back to it.

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1 And then the appendices basically refer to the different  
2 methodologies of selecting the meetings and the  
3 hearings.

4                   You will see that in this first document  
5 we actually did distinguish between the types of  
6 meetings and hearings, so the first one is called, in  
7 this document, an educational /background meeting, not a  
8 hearing, and then the input ones we're calling hearings.  
9 So, you know, the hearing just, you know, implying that  
10 there's really something else going on.

11                   In terms of the educational and  
12 background meetings, what I had envisioned is that we  
13 have -- we, through the Redistricting Group at Berkeley,  
14 have really developed trainings, very extensive two-day  
15 ones and then also shorter ones. And I don't want to  
16 put anybody on the spot, but there are a few attendees  
17 here who have gone through both and they might be able  
18 to speak to them. And we've also received some feedback  
19 on how to change certain slides and whatnot -- thank  
20 you, Kathay -- and, you know, incorporated all of that  
21 over time. So there's basically a packaged training  
22 that's already been tested that a lot of people have  
23 gone through that we can adapt to just launch very  
24 quickly at these workshops.

25                   And, you know, we've trained everybody

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1 from just, you know, activists and people that know  
2 something about redistricting and Voting Rights, and  
3 people that haven't. So people that are professional,  
4 people that are not. So it's basically across the  
5 board. So we tailor them somewhat, but the basic  
6 package is there.

7 So we would need a timeframe, just decide  
8 upon where we should put the emphasis, and then this is  
9 ready to go.

10 What I think with respect to communities  
11 of interest is that a lot of people need to go home  
12 after they have the information and then they need to  
13 develop that information. So there will be some people  
14 I think that will come to these educational hearings  
15 that already know. They know their neighborhood group.  
16 They know exactly where their neighborhood is. And they  
17 will be ready to give us something right there, and they  
18 would like to make sure that you receive that  
19 information. They may be able to just develop it right  
20 there, perhaps geocode something or, you know, just  
21 develop the technical information.

22 But most others, I'm going to guess --  
23 and that's an educated guess -- are going to take the  
24 information we provide to them, take the handouts, and  
25 then go home, talk to their communities, figure this all

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1 out, and then submit it to us later. Maybe some of them  
2 will go to the technical assistance centers; maybe  
3 others will just do it in some other fashion. It  
4 depends on how elaborate they want to be and of course  
5 how much access they have to these assistance centers,  
6 because obviously we only have six.

7 So I think that's how it's going to go.  
8 I don't think everybody is going to just leave us with a  
9 piece of information. And I open this clarifies things  
10 a little bit.

11 CHAIRMAN WARD: Commissioner Yao?

12 COMMISSIONER YAO: I support the educational  
13 workshop. What I'm about to suggest is that since I  
14 think from the previous discussion we're isolating the  
15 commissioners from the bulk of the educational  
16 workshops, is it possible that we can just develop the  
17 training material and ask the community groups that are  
18 throughout the state to conduct the, whatever, two-,  
19 three-, four-hour training on behalf of this Commission  
20 and allow this Commission to get involved with the input  
21 meeting without getting involved with the educational  
22 meeting. Because I don't know what kind of value added  
23 that we're providing to that process by getting involved  
24 in the educational process. Because I think previously  
25 we have talked about using the community groups who

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1 would support us in doing that.

2 CHAIRMAN WARD: Karin, go ahead.

3 MS. Mac DONALD: Just from what I know is that  
4 the community and advocacy groups that are out there,  
5 they're not exactly overfunded, so they have basically  
6 received some level of funding and they're doing what  
7 they can to already educate certain parts, their  
8 constituents, certain groups that have a stake in  
9 redistricting and whatnot.

10 The way I think we had envisioned these  
11 particular meetings are to be somewhat supplemental and  
12 perhaps reach a broader group of people that are perhaps  
13 not included. I think even if you would give this  
14 training material and all that to the community groups,  
15 they would still need funding, obviously, and I don't  
16 know if they have the capacity to just go out and do  
17 this, because everybody is stretched very thin.

18 CHAIRMAN WARD: Commissioner Filkins Webber?

19 COMMISSIONER FILKINS WEBBER: Two points,  
20 maybe since we're on this topic. I agree with  
21 Commissioner Aguirre's proposition that it puts a face  
22 of this Commission out there at the workshops and gives  
23 the public acknowledgment that this is an official  
24 workshop, that the material being presented is presented  
25 in a fashion that this Commission has agreed on and that

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1 we're educating the public. So that's why I find and  
2 agree with Commissioner Aguirre's suggestion that at  
3 least one person, if not a video, if it's impossible for  
4 us to get there.

5                   So in addressing Commissioner Yao's  
6 suggestion, or inquiry as to why it might be important,  
7 I think it's extremely important so it's not an advocacy  
8 group. This is an actually an official commissioned  
9 workshop that this Commission has authorized, and I  
10 think it gives more credence to the public that we're  
11 serious, that we've put this forward as an educational  
12 workshop. And that's why I think it would be important  
13 to at least have one commissioner, and if it's  
14 impossible then some backup video. That's in response  
15 to Commissioner Yao's question.

16               CHAIRMAN WARD: Commissioner Barabba?

17               COMMISSIONER BARABBA: I would think that we  
18 would want to make sure that the education was  
19 consistent in a manner that when we get the input back  
20 we don't have to worry about somebody having been taught  
21 to do something in a different way. So I would think  
22 that we would want to stay with what's been proposed  
23 here because it provides a consistent educational  
24 system.

25               CHAIRMAN WARD: Commissioner Ontai?

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1                   COMMISSIONER ONTAI: Yeah. With respect to  
2 the various types of input that we'll be collecting, we  
3 just handed out a timeline. Did you all get a copy of  
4 that? If you could turn to the second-to-last page, I  
5 did a matrix.

6                   Karin, do you have this?

7                   CHAIRMAN WARD: Commissioner Ontai?

8                   COMMISSIONER ONTAI: Can you hear? All right.

9                   And what I did was I tried to determine  
10 how and at what level commissioners would participate,  
11 given the different nature of input that we would be  
12 receiving. So looking at the left-hand corner where it  
13 says Commission activities, I have CRC business meetings  
14 at one group and a definition of what that would entail,  
15 and then the census data mapping meetings, and then  
16 there's description of what that entails. And then the  
17 last two are non-mapping outreach meetings. I separated  
18 them in terms of informing the public about Commission  
19 process, timeline, participation. And the last one is  
20 informing the public about redistricting matters, the  
21 importance of value, definition, things of that nature.

22                   And then the next column over where it  
23 says commissioner attendance, I suggested that, given  
24 the Bagley-Keene Act, that the first two business  
25 meetings and the mapping would require at least nine

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1 members of the Commission at any one time.

2 And the last, bottom two, non-mapping  
3 outreach and non-mapping educational, I'm assuming that  
4 at least one or two Commissioners can be present.

5 And then if you follow the rest of the  
6 columns to the right, you'll see that information  
7 sharing and distribution can be done by other  
8 organizations as well. We have the staff. Obviously  
9 they can do that. Paid consultants will be doing that.  
10 Non-profit partners, like Greenlining and Women's  
11 League, they have been doing quite a bit of the  
12 educational piece already. Then we have the community  
13 organizations. This would be local groups. Like in  
14 San Diego I have at least fifteen organizations that  
15 would like to participate in the non-mapping outreach  
16 and educational meetings. Then you have the third  
17 option, which might be a videotape piece that we could  
18 do and distribute that to public agencies like schools  
19 and libraries. Commissioner Aguirre had mentioned that.  
20 And of course we have the general public.

21 So there's different levels of  
22 communicating this information, but the most important  
23 one I think is where the Commission attendance would be  
24 legally required and what would give us the flexibility  
25 to spread ourselves over the next seven and a half

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1 months.

2 CHAIRMAN WARD: If I may quickly,  
3 Commissioner DiGuilio, since you're briefing for the  
4 subcommittee, is this part of the scope of what you guys  
5 discussed, the actual -- I'm just concerned. I don't  
6 know if this bleeds into outreach or --

7 COMMISSIONER DIGUILIO: Yes, this is  
8 Commissioner Ontai's outreach schedule.

9 CHAIRMAN WARD: So this is outreach, okay.

10 COMMISSIONER DIGUILLO: And I think -- again,  
11 to try to level the playing field with terminology, I  
12 think -- we had this discussion yesterday, right,  
13 Commissioner Ontai, in terms of what you've been terming  
14 census data mapping meetings would be -- I'm sorry, no,  
15 it was the other one.

16 If you go back to -- just if you're  
17 looking at this in terms of what we've been discussing  
18 for the technical, what Commissioner Ontai has termed on  
19 the second page outreach before the trial map would be  
20 known as phase one. The outreach during trial map  
21 creation would be phase two. And the outreach  
22 alternatives to trial map would be phase three, just to  
23 be consistent.

24 COMMISSIONER ONTAI: That's correct, yes.

25 COMMISSIONER DIGUILLO: So I think what

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1 Commissioner Ontai has done is given us a good visual of  
2 the tight deadlines in terms of months. So that's how  
3 it's related.

4 CHAIRMAN WARD: Okay.

5 COMMISSIONER DIGUILLO: And, again, I'm sorry.  
6 We kind of tried to merge this only because it overlaps.  
7 So I hope that answers your question.

8 COMMISSIONER ONTAI: Yes. And the point I'm  
9 making is we're struggling here with semantics and we  
10 have to come to some common definition.

11 COMMISSIONER BLANCO: So I have a question.  
12 I'm struggling with how many days in the calendar. So  
13 we're talking about nine meetings, input meetings now.  
14 I'm not even talking about educational meetings.  
15 According to these materials, nine meetings in March,  
16 right?

17 COMMISSIONER ONTAI: That is being suggested.

18 COMMISSIONER BLANCO: Phase one.

19 COMMISSIONER ONTAI: Yes, that is being  
20 suggested.

21 COMMISSIONER BLANCO: In addition to  
22 educational meetings. And we need to consider what I  
23 didn't see on the timeline, was where our business  
24 meetings fit in. So I think that's an added element to  
25 the timeline. Because we'd have nine meetings in March.

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1 I believe our next Commission meeting will be March 9th,  
2 correct? That's two weeks from the next Wednesday. I  
3 mean maybe, maybe.

4 So we have to consider the business  
5 meetings in this timeline and figure out when -- if we  
6 can have these business meetings to coincide with the  
7 other meetings, which on the one hand promotes full  
8 commissioner participation but it takes us away from the  
9 idea of being able to have small groups, and if we go  
10 back to the small groups then we add a meeting for  
11 business.

12 And also in here is that phase two. We  
13 will not only be doing the phase two meetings but we  
14 will be doing the beginning of the map drawing. And  
15 there will be nine meetings before, in April and May,  
16 along with the meetings that -- I think business  
17 meetings will begin to merge with the mapping meetings.

18 So I guess my question is, I think we  
19 need to -- it's not a question. We need to incorporate  
20 the business meetings into the schedule, see where that  
21 leaves us, and how that affects the full Commission  
22 participation and the issues of notice, if we're going  
23 to do it along with, you know, other meetings.

24 COMMISSIONER ONTAI: And that is correct, yes.

25 CHAIRMAN WARD: If I could interject, I guess

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1 what I was trying to query the Commissioner about was --  
2 or the subcommittee, are we now talking outreach?  
3 Because if we are we have CCP folks that are actually  
4 going to take the stand and they're going to be able to  
5 assist us in resolving these issues. I want to focus us  
6 on the technical conversation so we can get through that  
7 and then move more into outreach.

8 COMMISSIONER DiGUILIO: I think part of the  
9 issue is, in order to talk about technical needs, we  
10 need to have some decisions made by the Commission. So  
11 including, as, yeah, Commissioner Filkins Webber  
12 mentioned, is we need to decide officially to hire a  
13 consultant so we can actually task them. Because I know  
14 that Ms. MacDonald has more than used up hours that she  
15 hasn't been even paid for yet. So we need to be tasked  
16 with hiring a consultant.

17 And then once we do that, because the  
18 technical aspects are going to be driving the outreach,  
19 we need to have a clear understanding, if it's  
20 acceptable to the Commission in this format, that we  
21 allow the consultants to do the educational. I would  
22 suggest just taking that off our plate. If we agree to  
23 it, say the consultants will do that. They will present  
24 something to us, but let them develop it.

25 Then I would suggest that the input

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1 hearings, the public input hearings, we need to decide  
2 as a Commission again those parameters of how many and  
3 where so we can task the technical consultants to  
4 develop, to then work with our project coordinators so  
5 that they know the material. Because our project  
6 coordinators, CCP, are fantastic at implementing these  
7 things, but they don't know the subject material, and  
8 that has to come from the technical side, which would be  
9 Karin.

10 So, again, I'm trying to back up. Before  
11 we can move too far into outreach we need to have some  
12 of these questions answered.

13 So will that help you in terms of what  
14 you need to do to move forward, too?

15 MS. Mac DONALD: Yes, absolutely.

16 COMMISSIONER FILKINS WEBBER: Based on the  
17 information that we have received in Sacramento from  
18 Ms. Mac Donald and CCP, is it the technical  
19 subcommittee's recommendation that this Commission today  
20 consider a full contract, and are we even permitted to  
21 do it based on our limitations right now, so that we  
22 could direct Ms. Mac Donald to move forward on the  
23 educational hearings? Because it seems a little  
24 esoteric to talk about -- we do need to talk about all  
25 of these things, but I'm a practical person. Can we

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1 hire her? Has the subcommittee made a recommendation to  
2 this Commission to do so? So, then, just as you had  
3 suggested, let's move past the educational workshop and  
4 let's start looking at schedules and moving forward on  
5 that.

6 COMMISSIONER BARABBA: Just taking a verbal, a  
7 visual count of the subcommittee, we would encourage  
8 that we retain the services of Karin MacDonald.

9 And the other point I wanted to make was,  
10 it's concern about the business meetings. What we will  
11 be doing will be the business of this Commission, which  
12 is getting the job done, rather than what we've been  
13 doing, which is trying to get organized to get the job  
14 done. So I would think that the focus on business  
15 meetings will become incorporated into these input and  
16 outreach meetings and that we should be less concerned  
17 about how many business meetings we have and more  
18 focused on what we're going to be doing about getting  
19 these lines drawn.

20 COMMISSIONER GALAMBOS MALLOY: One possibility  
21 we had talked about in previous meetings was the idea of  
22 having one business meeting in the month of March or  
23 somehow greatly condensing the work that we would need  
24 to do as a full Commission during that month, so I think  
25 there are options that we can work to devise.

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1 CHAIRMAN WARD: Was your question fully  
2 answered, Commissioner Filkins Webber? You had a legal  
3 question, I think, didn't you?

4 COMMISSIONER FILKINS WEBBER: Well, I didn't  
5 have a legal question. But should this Commission move  
6 forward at this point with a motion to retain --

7 Ms. Mac Donald, could you repeat the name  
8 of your -- because I know you wear two hats, or maybe  
9 more than that.

10 MS. Mac DONALD: Repeat? I'm sorry?

11 COMMISSIONER FILKINS WEBBER: Your company.

12 MS. Mac DONALD: Yes, it's Q2 Data & Research.

13 COMMISSIONER FILKINS WEBBER: Q2?

14 MS. Mac DONALD: Q2, stands for Qualitative  
15 and Quantitative, Data & Research.

16 COMMISSIONER FILKINS WEBBER: Okay, Q2 Data  
17 Research.

18 MS. Mac DONALD: Data & Research, LLC.

19 CHAIRMAN WARD: I had one question before, but  
20 Commissioner Barabba?

21 COMMISSIONER BARABBA: A question to staff:  
22 Is that organization one that we can retain under the  
23 procedure that you've been using?

24 MR. CLAYPOOL: So you're referring to?

25 COMMISSIONER BARABBA: Karin.

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1           MR. CLAYPOOL: Okay, yes. It's one that we  
2 can do. It would have to be a procurement. So one of  
3 the things that's been suggested is that you could  
4 authorize me to enter into that, or start that contract  
5 or enter into it as soon as we receive procurement  
6 authority, if that's what you wish to do, so that you  
7 could -- we could do it that way.

8           COMMISSIONER BARABBA: Thank you.

9           COMMISSIONER YAO: Question for executive  
10 director. Without information on the cost, without  
11 information on the schedule, how can this Commission  
12 enter into a contract just from the pure direction of  
13 this Commission, saying go and enlist this group or this  
14 contractor to start performing work for us? I guess I  
15 need to understand the process.

16          COMMISSIONER BARABBA: If I could, I think  
17 we're authorizing him to enter into a contract, and he  
18 would have to come back to us with that level of detail.

19          COMMISSIONER YAO: So we're directing staff to  
20 enter into an exclusive contract.

21          MR. MILLER: I was trying to envision a manner  
22 that would permit you to take a next step, but not the  
23 ultimate next step, in the manner you're most  
24 comfortable doing. For example, if the details, and  
25 they're not details, the fundamentals of the contract

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1 that you're referring to such as cost, time, product to  
2 delivery, were available to you and you were in a  
3 position to make a judgment on the totality of those  
4 elements, you could authorize Mr. Claypool to enter into  
5 the contract at a future time when we have the delegated  
6 authority, we have whatever authority the State has  
7 still to convey to us in order to make the contract  
8 operational. Now, you may not have enough information  
9 today to wish to take that step.

10 COMMISSIONER FILKINS WEBBER: Is there any  
11 option for such as what we had done at the prior meeting  
12 of this Commission, to direct or enter into a contract  
13 with Q2 Data for at least the minimum? And if you could  
14 provide staff maybe the potential for cost on at least  
15 getting -- moving forward on a schedule for the  
16 educational workshops. Is there some manner in which we  
17 could limit it until we get to the point where we can  
18 enter into the full contract after we have information?  
19 Is there some option there, Mr. Miller, where we might  
20 be able to break it down like that?

21 MR. CLAYPOOL: There's certainly options for  
22 an interim contract to assume some duty that's different  
23 in scope of work from the original work that's been  
24 performed, and that would be different from the final  
25 work that you had put in place. So we can do that. I

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1 think that we will have the cost figures that you're  
2 thinking of. We'll have a pretty good idea, actually  
3 we'll have a completed scope of work and a very specific  
4 idea of what this is going to cost before we have these  
5 workshops, I believe before they even begin, because we  
6 need to have that phase put into place after we have our  
7 next meeting in Sacramento. So I mean we're talking --  
8 I think we're talking about a fairly short timeframe.

9 But as far as covering the interim costs,  
10 certainly we can do the same thing we did with the 50  
11 hours and then pay for that portion just knowing that it  
12 would be a scope of work that we would end up having to  
13 pay for anyway in a completed contract. But I  
14 understand that you want to see the cost first.

15 CHAIRMAN WARD: Commissioners, I'm being urged  
16 to request a five-minute bio break, so we're going to do  
17 that at this time. We're going to pick this up at five  
18 after the hour.

19 (Recess from 1:58 p.m. to 2:15 p.m.)

20 CHAIRMAN WARD: Okay, the time being 2:15, a  
21 quarter after the hour, we're back in session. The  
22 quorum is present.

23 And at this time I'd like to go ahead and  
24 turn the microphone pack over to Commissioner DiGuilio  
25 who initially outlined four main points that came out of

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1 the subcommittee meeting for technology that require  
2 some consensus this meeting. So I'd like to turn it  
3 back over to her and focus the conversation on those  
4 four items.

5 COMMISSIONER DIGUILIO: Okay. I think in an  
6 effort to try to move the process forward and hopefully  
7 be able move on from technology and talking specifics  
8 about outreach, I think it would be helpful for the  
9 technology committee to have agreement from the  
10 Commission on moving ahead -- first of all, the first  
11 one would be to move ahead with the educational  
12 meetings. And hopefully those can be completed in  
13 March.

14 COMMISSIONER FORBES: I think that's a useful  
15 thing. And I actually -- during the break I asked Karin  
16 if she had an estimate of what that would cost us. So,  
17 with your consent, I would like to ask her to give an  
18 outline of what those educational meetings would cost.

19 MS. Mac DONALD: Okay, the educational  
20 meetings are going to be a real bargain for you because  
21 the Irvine Foundation has already paid for most of them.  
22 So we had as part of the contract to do the outreach  
23 centers, we also had an educational piece in there. And  
24 we had envisioned doing four more regional workshops, as  
25 we called them, I think, in the proposal. And they're

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1 very similar in scope and design to what we're talking  
2 about here. So if we can collaborate with CCP, then  
3 pretty much four of them are already paid for.

4 And I have one caveat, which is I'm not  
5 sure if we spent the travel money on used furniture for  
6 the centers, because this is all the kind of  
7 not-so-well-funded-center issue. And I have an  
8 additional supplemental budget request into Irvine. So  
9 if we get more money from Irvine obviously you don't  
10 have to pay for it. But, in addition, if -- so for each  
11 additional workshop I would say, in terms of staff cost,  
12 not more than \$3,000.

13 COMMISSIONER FORBES: Now, that would be your  
14 cost, correct?

15 MS. Mac DONALD: Yes, that's the technical  
16 part.

17 COMMISSIONER FORBES: Do you have an estimate,  
18 or does staff have an estimate of what the CCP component  
19 would add to that for the additional four meetings?

20 COMMISSIONER DIGUILIO: I believe, if you  
21 wouldn't mind holding off, I think they're going to do a  
22 presentation on that very briefly. And they have a very  
23 detailed proposal.

24 COMMISSIONER FORBES: For just educational  
25 meetings?

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1 COMMISSIONER DIGUILIO: For educational  
2 meetings, input meetings in general --

3 COMMISSIONER FORBES: Right, I understand  
4 that, but I'm asking just for educational meetings.

5 COMMISSIONER RAYA: It's in your handout.

6 COMMISSIONER FORBES: All right, thank you.

7 CHAIRMAN WARD: Commissioner Ancheta?

8 COMMISSIONER ANCHETA: Karin, just for  
9 clarity's sake, I know you wear different hats, and I  
10 know they're closely related. So just for clarity sake,  
11 obviously you've got the Statewide Database, which is a  
12 State agency, and then you have your consulting company.  
13 And I want to be -- I think other people would like to  
14 be clear, too, about when it's a Statewide Database  
15 activity versus a contract with your company.

16 And the issue that's related to this, and  
17 I think it's been raised in written public comment, is  
18 because of the collaborative that Irvine is funding, and  
19 some concerns of the public that based on certain  
20 organizations who will do advocacy work regarding  
21 certain types of maps, there may be need to be some  
22 distinctions or lines drawn in terms of the different  
23 members of the collaborative. Again, that's a larger  
24 discussion, but I want to be clear about where it's the  
25 Statewide Database that's doing certain things and you

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1 as a contractor are doing certain things and where those  
2 costs are eventually showing up.

3 CHAIRMAN WARD: If I may interject as chair on  
4 that matter, that's a question that's excellent but is  
5 addressed at a later time. Right now -- we can address  
6 that under contracting and other issues. Right now  
7 we're trying to stay on point one.

8 COMMISSIONER ANCHETA: I understand that, but  
9 because I'm really -- when you said it's already paid  
10 for --

11 MS. Mac DONALD: I could do it in one minute  
12 very quickly.

13 CHAIRMAN WARD: By all means, please.

14 MS. Mac DONALD: I'm standing here on vacation  
15 time from the Statewide Database. So when I'm here  
16 talking to you I'm not on the Statewide Database. The  
17 Statewide Database actually also does not work on the  
18 Irvine piece. We kind of separated that out because  
19 that was a grant, and we call it the Redistricting Group  
20 at Berkeley Law.

21 So the Statewide Database really does  
22 like data provision, and that's really all we do. We do  
23 not do redistricting consulting there. We do not do  
24 anything else but really just database, giving data to  
25 the public and helping them just kind of access the

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1 data.

2 So when we got this grant from Irvine, we  
3 founded the Redistricting Group at Berkeley Law, because  
4 we moved over to Berkeley Law about a year and a half  
5 ago. And there are some people from the Warren  
6 Institute that are part of the Redistricting Group and  
7 all of that.

8 So basically when we're doing the  
9 outreach centers and also that educational piece, that's  
10 Berkeley Law. And this is kind of the reality of being  
11 at a university where you have to rely on soft money and  
12 you have to just bring in various, various grants or  
13 projects to keep your people employed on some level.

14 I have done redistricting consulting.  
15 I'm staff at Berkeley, and staff at Berkeley has no  
16 limitations on doing any kind of outside business. And  
17 I've verified that various times, and most recently  
18 three weeks ago. So I have that in writing actually  
19 from the law school.

20 So when we're doing consulting, like  
21 right now when I'm standing there, this has really  
22 nothing to do with that. I'm really educating you about  
23 what's going on at the Redistricting Group at Berkeley  
24 piece, because that's going to save you some money, and  
25 because also I've engaged in dialogue with the Irvine

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1 Foundation, and they're very interested in working with  
2 the Commission. Because not only does that save money  
3 but it also really helps us all be on the same page and  
4 get more people engaged.

5 So I've been very, very clear on which  
6 hat I am wearing, and I actually really appreciate the  
7 question. And if you want to know more I will tell you  
8 all about it.

9 COMMISSIONER ANCHETA: Yes. And, again, I was  
10 simply losing track on some of that.

11 MS. Mac DONALD: I should say one more thing.  
12 I actually just hired the manager for the  
13 Berkeley Redistricting Center. She came on today, is  
14 her first day. Well, I worked with her last night. And  
15 she's actually going to be supervising the other  
16 centers, so I will have very little to do with the  
17 supervision of the other centers. That's Tamina Alon,  
18 and she's sitting in the office now.

19 COMMISSIONER Di GUILIO: So can I go back to --  
20 does that answer your question?

21 COMMISSIONER ANCHETA: Yes.

22 COMMISSIONER Di GUILIO: I think maybe this  
23 question will be raised at the end. It's my fourth  
24 point in regards to actual contracting with consultants.  
25 But going back to the first one, can we agree as a

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1 Commission that starting these educational meetings is  
2 the first task at hand? Are you comfortable with  
3 setting those up for the technical committee to go ahead  
4 and do that?

5 COMMISSIONER YAO: I think I, along with  
6 Commissioner Forbes, what is the total cost for the  
7 educational meeting? Does anyone have that number? I  
8 mean we're about to approve something to start on a  
9 process that we can't backtrack, okay, and if I don't  
10 know what that total cost is -- I have the partial cost  
11 that was identified from the podium. You said that I  
12 have to wait until further to find out what the rest of  
13 the cost is. I don't know how I'm going to vote on  
14 this.

15 COMMISSIONER DIGUILIO: Could I suggest that  
16 we could limit it to saying that we would like to go  
17 ahead with the educational meetings so that we can task  
18 the consultants with developing a schedule that can be  
19 presented to us at our next meeting so we would get the  
20 schedule and the costs associated with that to some  
21 agree?

22 CHAIRMAN WARD: What I understand that she's  
23 asking -- and I could be wrong -- is she's asking us if  
24 we're interested in having these training meetings.  
25 They don't want to put together a plan and a budget, a

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1 cost proposal for meetings that we don't even want.

2 From what I understand, is you're just  
3 simply asking do we, as a Commission, want to engage in  
4 an educational meeting process. If we do, then what  
5 they would like to do is put together a proposal for how  
6 much those would cost and so forth, so that would be  
7 forthcoming. Where I don't believe you're asking us to  
8 approve an expenditure for these training meetings to  
9 happen at this time. Is that correct?

10 COMMISSIONER DiGUILIO: It's my understanding  
11 that the only one that we have tentatively scheduled is  
12 for February 26th, but beyond that we haven't developed  
13 a schedule. And I do think we're running into the issue  
14 of having enough time to agendaize things, so I think if  
15 we had something in our hands at the next meeting in  
16 terms of actual schedule as well as a scope of work and  
17 a budget, then we could make that decision.

18 I know it's a bit of a horse before the  
19 cart, the cart before the horse here. Maybe Karin can  
20 give -- she's given a little bit of the numbers on her  
21 part, and I guess the question is do want to get into  
22 the numbers on the CCP. And there may be -- as you saw  
23 on this, there's a lot of elements. If you looked on  
24 that flow chart, there are a lot of different people  
25 that don't have their numbers here. We won't have the

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1 number for CC if we want to have the logistical aspects.  
2 We don't have it if we need translation/interpretation  
3 services, things along those lines. There's some  
4 questions we may not be able to answer right now in  
5 terms of budget.

6 But I think if we want to move on this we  
7 should just have agreement if we want to do these  
8 educational meetings.

9 CHAIRMAN WARD: Commissioner Raya?

10 COMMISSIONER RAYA: We were handed a document  
11 a few minutes ago, and this is another draft and it  
12 includes -- I know that's somebody else's document. But  
13 the difficulty I'm having I think is the same. I think  
14 I'm kind of echoing Commissioner Yao. We're trying to  
15 keep this in some kind of like compartmentalized  
16 consideration, but it doesn't really work. Well, it  
17 doesn't work for me; I'll just say that. Because we  
18 have some numbers, and we were given another number.  
19 And, I don't know, it is difficult to say. In concept,  
20 yes, everybody wants to do the educational workshops,  
21 but I think, you know, somehow I need things to mesh a  
22 little bit more.

23 CHAIRMAN WARD: Commissioner Barabba?

24 COMMISSIONER BARABBA: My concern is that here  
25 we are in February, and it's going to be very soon

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1 before we start drawing some maps. If we have to have  
2 the exact cost of everything we're going to do before we  
3 authorize it, we're not going to make it. Now, we have  
4 spent a lot of time finding an executive director with  
5 experience in this area. It seems to me we should be  
6 directing him to get a contract put in place that makes  
7 sense within the law and all the other procedures that  
8 we have.

9 This first part is going to be the least  
10 amount of money we're going to spend, and we can't get  
11 going unless we get it started. So I would suggest we  
12 have some confidence in our executive director to hammer  
13 out a contract that we can be proud of and get the thing  
14 going.

15 CHAIRMAN WARD: Mr. Claypool?

16 MR. CLAYPOOL: Yes. I think it's important,  
17 and I have a sense of where Commissioner DiGuilio wants  
18 this to go. What we're talking about here is having a  
19 presentation by each one of these entities to say, "For  
20 my part, this is what it will cost."

21 Yesterday when I spoke, or when I  
22 actually spoke with the finance committee I said what  
23 we're looking at right here is trying to get an estimate  
24 of what this core is going to cost us. So we could  
25 spend a lot of time right now saying so for the outreach

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1 within the meeting CCP is going to charge us this amount  
2 and for the part that we would get from the  
3 Statewide Database will be this piece and then as a  
4 consultancy we would get this piece, and try to mesh  
5 that. But that I think is what we're aiming at for our  
6 next meeting.

7                   What we're looking for right now is to  
8 say in principle we agree that we want to have these  
9 outreach meetings, and then when we come to you at the  
10 next meeting we're going to say this is the scope of  
11 work that we're talking about; this is the cost. These  
12 are what these will cost you. I don't believe we're  
13 asking right now -- you are not approving the payment  
14 for these services or anything else. You're simply  
15 approving that scope of work that you believe needs to  
16 be done.

17                   And then at our next meeting we'll be  
18 talking about are we all -- is this the scope of  
19 work we -- is this what we can agree to pay for this  
20 scope of work. That's what I think we're shooting for  
21 right here.

22                   COMMISSIONER FORBES: Then what you're looking  
23 for, are you talking about just the educational  
24 component or are you talking about the whole input  
25 component as well right now?

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1                   COMMISSIONER Di GUI LIO: I was going to break  
2 it down to, first of all, separate them. Are you okay  
3 to move forward with the educational meetings? If so,  
4 in theory we can ask the consultants then to come back  
5 with a detailed scope of work based on the seven  
6 educational meetings.

7                   My next question was going to be  
8 regarding the scheduling of the public input hearings  
9 and what I need to get from the full Commission to move  
10 forward. And that would be just those two things.

11                  COMMISSIONER FORBES: I think -- I agree with  
12 Commissioner Barabba. We can't wait so long for this.  
13 So I think, personally, that we make a decision to go  
14 forward with the educational meetings, and at our next  
15 meeting in Sacramento you'll come back with a projected  
16 cost of that part of our outreach program.

17                  I also think that as we look at all these  
18 potential meetings, I mean there's 27 meetings or 36  
19 meetings or however many there are, I think it would be  
20 very helpful for me personally to have a schedule for  
21 the next two to three months set out without regard to  
22 whether we can make them, because I think to try and  
23 work our schedule is impossible. I think we have to  
24 come up with a schedule: This is where we're going to  
25 be, or we're going to try to be, on these dates. And

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1 it's up to us to be there. And some of us will be and  
2 some of us won't. And that's just the way the chips  
3 fall. But to try to massage our schedules, I think  
4 that's an impossible task.

5 So those would be my two recommendations  
6 in our next business meeting.

7 MR. CLAYPOOL: And I believe that we are  
8 talking about the same thing. What you are looking for  
9 is structure for where we're going, and I believe that  
10 the outcome of this session has to be in agreement as to  
11 what that structure should look like. It's exactly what  
12 Commissioner DiGuilio just outlined.

13 We need to have an agreement as to what  
14 our outreach plan is going to look like. We have to  
15 have an agreement as to what our public input process is  
16 going to be, and then we have to have some agreement as  
17 to what we're going to do regionally when we're finished  
18 with our final maps and so forth.

19 So as a Commission I believe that you are  
20 putting these pieces together. We've already talked  
21 about needing to get the cost estimates for the Voting  
22 Rights Act attorneys. We're talking about putting  
23 together contingency. I've spoken earlier about needing  
24 the cost for staff. All of this has to come together so  
25 that we can come back to you at the next session and say

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1 this is the price tag for this effort, and that will  
2 then give us the information we need to go to the  
3 Department of Finance and to go to the legislature and  
4 say please release the money that's in the budget. We  
5 already have this, and this is what we need  
6 additionally. And I think each one of these contractors  
7 is doing a very good job for us by breaking it down by  
8 meeting and by breaking down the components.

9 If we don't, for some reason, get that  
10 money, then we know where we have to scale back to. But  
11 the first thing I think we need to know is, in your  
12 collective mind, in your vision, what do you think it  
13 looks like at the level you think it should be as a  
14 process. We're going to work those numbers for you, and  
15 part of it will be exactly what we're saying: this many  
16 meetings.

17 Now, will we have them scheduled out that  
18 way by the next session? I don't think so. I don't  
19 think we can say you'll be in Watsonville on March 23rd.  
20 But we do know from a process standpoint that you have  
21 the expectation of doing this many meetings, and that's  
22 something we can plan around. And that's what I think  
23 Commissioner DiGuilio is looking to put into place.

24 CHAIRMAN WARD: Commissioner Aguirre is next,  
25 but I was in line. I wanted to go ahead and make a

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1 motion at this point, propose that we agree in principle  
2 to have training meetings and direct staff to solicit  
3 proposals for options on how to make that happen, to  
4 include budget and other concerns.

5 COMMISSIONER AGUIRRE: I would be in support  
6 of that motion and I would second that motion by further  
7 stating that, you know, we're trying to come to an  
8 agreement on the concept itself, agreement on the  
9 concept. And that concept includes us deciding that  
10 we're going to go out there and we're going to say this  
11 is what we're all about. Then we're going to go out  
12 there again and say, "We were here before, so now we  
13 need information, some input from you. We'll be back."  
14 Going out again and saying, "All right, we heard you.  
15 This is kind of where we're going." And then coming  
16 back, doing that work, and then going back and saying,  
17 "This is what we came up with. You've got fourteen  
18 days, whatever, to give us some final input." That's  
19 the concept. That's the concept, right?

20 So I think the request is can we agree on  
21 that concept. I think it's pretty simple.

22 As far as the money goes, even though  
23 Karin has not given us any figures at this point, I  
24 think with the outreach committee, the documents that  
25 they will be presenting certainly outlines what the

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1 money angle is going to be on that particular process,  
2 which is more than \$3,000 certainly.

3 But, anyway, so I would second that  
4 motion.

5 CHAIRMAN WARD: In light of your input, I'm  
6 actually going to withdraw my motion and I'm going to  
7 ask Commission DiGuilio to please make a motion based  
8 off of what the request of the subcommittee is at this  
9 time.

10 COMMISSIONER DIGUILIO: Okay. I'd like to  
11 make a motion that the Commission agree in concept to  
12 the educational meetings so that the consultants can  
13 develop a proposal for our consideration at our next  
14 meeting.

15 CHAIRMAN WARD: Okay, we have the stated  
16 proposal on the table. At this point further panel  
17 discussion? Commissioner Yao?

18 COMMISSIONER YAO: I'm sensitive to the  
19 schedule. I'm sensitive to all the work that's ahead of  
20 us. But I'm afraid we're taking a very bad approach to  
21 this. There's no such thing as getting a little  
22 pregnant. What we're about to do is enter into an  
23 exclusive contract.

24 Now, hear he me out. Hear me out. Once  
25 you started with a single contractor to initiate the

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1 work, we're going to burn up more schedule. We're going  
2 to be at a point where we can't do anything else. And  
3 we haven't seen any cost data. We haven't seen any  
4 other options. And based on the fact that we need to do  
5 it, we need to proceed with or without data.

6 So, again, I'm not voting against the  
7 fact that we need to move ahead immediately, but I'm  
8 voting against the fact that we're taking a very bad  
9 process.

10 COMMISSIONER FORBES: Commissioner Yao, we  
11 have a proposed process. I mean I'm open to an  
12 alternative but I haven't heard one. What alternative  
13 proposal would you make?

14 COMMISSIONER DiGUILIO: Could I suggest,  
15 commissioner Yao, I'd like to reserve the last point of  
16 discussion for the actual consulting with any type of  
17 agency. So right now it has nothing to do with an  
18 individual agency. It's simply whether or not we'd like  
19 to proceed along this line.

20 COMMISSIONER ONTAI: I was just going to ask  
21 before we take a vote should we have public input?

22 CHAIRMAN WARD: If we can get through the  
23 Commission input.

24 Once again, I think it's just important  
25 to wrap all this, summarize. A lot of good debate. The

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1 overall understanding is that we're trying to vote on a  
2 concept, a skeleton for what it is the Commission  
3 envisions on getting our job done. At that point staff  
4 would like to take that vision, that outline, that  
5 roadmap that we're trying to create this week, and then  
6 put faces and contracts and things like that to that  
7 later. But we need -- we can't go anywhere until we  
8 agree as a Commission on what we want to do, how we want  
9 to get the job done, and I think that's the overriding  
10 principle that we're trying to accomplish today.

11 COMMISSIONER FORBES: Yes. It seems to me  
12 that what we're doing here is do we want to have  
13 educational background meetings, nothing more. If the  
14 answer to that is yes, then we can direct staff to  
15 discuss with the people who have expressed an interest  
16 or anybody else and come back, then, at the next  
17 meeting.

18 CHAIRMAN WARD: And I believe that's the  
19 motion that's on the floor.

20 Mr. Claypool?

21 MR. CLAYPOOL: I am very sensitive to  
22 Commissioner Yao's thoughts here, and I think that this  
23 has all come about because now we're talking about  
24 moving out of the realm of what was originally proposed,  
25 which was working through interagency agreements, to

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1 work with State agencies. So I think what we have to do  
2 as part of this is we have to come together as a  
3 Commission and agree that we want to have a structure  
4 that looks like that.

5 And then, as Commissioner DiGiulio I  
6 think is indicating, when we get to the end where we  
7 actually talk about the consultant contracts that go  
8 with this type of an effort, we have to reevaluate how  
9 we're going to approach having these last -- this last  
10 piece put into place. If it is a matter of having to go  
11 through a consultant contract to do it, then we may just  
12 have to go through the competitive bid process or we may  
13 have to investigate what other alternatives we have.

14 But that I think -- you know, it's  
15 something that now that we have this concept of going  
16 beyond, or going outside of the State process and  
17 Government Code, there's a process in place to do just  
18 that and we have to investigate it. But that won't in  
19 any way take away from the structure itself. It only  
20 addresses how we address each of the pieces within that  
21 structure. That's all.

22 CHAIRMAN WARD: Commissioner Yao?

23 COMMISSIONER YAO: Let's go forward a few  
24 weeks, assuming this is February 26. We would have seen  
25 what the proposed package is. Let's say the package is

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1 more than we can afford, okay? What options do we have  
2 on February 26 other than accept it and move forward?  
3 Because we lost schedule and we can't afford to go  
4 anywhere else. So that's what I mean by locking  
5 ourselves into a position where we can't do anything  
6 else.

7 And by making a decision before -- even  
8 if I add up the draft data that's here, even if I add up  
9 the data that's before me, I'm not sure I'm seeing the  
10 total cost. What's the facility cost for the seven  
11 meetings? Are there any conflicts between what -- the  
12 Irvine Foundation and us? Do they have a right to veto  
13 anything that we want to say? I mean I haven't seen  
14 anything that convinced me that this really is the only  
15 option that we have, other than the fact that we're  
16 running out of time.

17 So I think I said all I need to say.

18 CHAIRMAN WARD: Again, I think your comments  
19 are fantastic, Commissioner. They're very fair concerns  
20 and I think they're concerns we all share. I just think  
21 what the motion on the floor is asking is simply do we  
22 want to have training meetings. That's it, as I  
23 understood the motion stated. All we're trying to agree  
24 on is that. If we can't agree on that, then where are  
25 we going to be on February 27th would be the logical

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1 question.

2 COMMISSIONER YAO: I guess I'd like the motion  
3 restated because that's not what I understood the  
4 motion.

5 CHAIRMAN WARD: Let's do that. Can we have  
6 the motion on the floor restated, Michelle?

7 COMMISSIONER Di GUI LIO: Can you restate it,  
8 since apparently Commissioner Yao understood better from  
9 you than from me.

10 CHAIRMAN WARD: As I understand the motion on  
11 the floor, it's motioned that the Commission agree in  
12 principle to host educational training seminars. Do I  
13 get a second?

14 COMMISSIONER RAYA: That is not what I heard  
15 the first time.

16 COMMISSIONER Di GUI LIO: I was focusing simply  
17 on the educational workshops.

18 COMMISSIONER RAYA: And there was an "and"  
19 after that: And that we would ask our consultants to do  
20 something.

21 COMMISSIONER Di GUI LIO: Oh, I'm sorry. I  
22 guess if we agreed in principle that we would hold the  
23 educational workshops, that would give the parameters  
24 for the consultants, then, to give to us a scope of  
25 work.

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1 CHAIRMAN WARD: Let me restate my motion. My  
2 motion is to agree in principle that we as a Commission  
3 desire to have training workshops. End of motion.  
4 There's no addition to that as far as moving forward and  
5 conducting them, as far as agreeing to pay any amount  
6 for them or anything else, just simply in principle we  
7 would like to have an educational --

8 COMMISSIONER DAI: Point of order. Did  
9 Commissioner DiGuilio already make a motion?

10 CHAIRMAN WARD: That's correct.

11 COMMISSIONER DiGUILIO: Do I need to clarify  
12 it a little more?

13 COMMISSIONER RAYA: No, I think I understood  
14 your motion. If the motion were in fact do we agree to  
15 have educational workshops, why would anybody have a  
16 problem with that. And if we do that and then  
17 subsequently give direction to staff to get proposals,  
18 scope of work and so on, and costs, I don't have a  
19 problem with that either.

20 COMMISSIONER DiGUILIO: And that's for  
21 consideration for the full Commission at the next  
22 meeting. That's the purpose of this motion.

23 COMMISSIONER ONTAI: And I would expand that  
24 comment that Commissioner Raya just mentioned, that in  
25 putting the costs together is the cost that includes

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1 both consultants, Karin and CCP.

2 COMMISSIONER RAYA: Again, I'm just saying  
3 this is where I have a problem. If you're saying this  
4 is only in concept, great. Nobody can object to that.  
5 But it's what comes after that that I still have a  
6 problem with. And I would -- if it's really to approve  
7 in concept and then subsequently, assuming that motion  
8 passes, and I'm sure it would, giving direction to  
9 staff. Because otherwise to me the motion sounds like,  
10 okay, we've already said these are the consultants;  
11 these are the people. And that's the concern I have.

12 COMMISSIONER DiGUILIO: It's just the concept  
13 of the workshops so that we can take that under  
14 consideration for the next meeting and then we can make  
15 the decision as to if we go forward.

16 CHAIRMAN WARD: Can I make a suggestion.  
17 Commissioner DiGuilio, would you mind withdrawing your  
18 motion?

19 COMMISSIONER DiGUILIO: Sure.

20 CHAIRMAN WARD: And may I ask  
21 Commissioner Raya to propose a motion.

22 COMMISSIONER RAYA: Well, my motion would be  
23 to approve the concept of educational workshops.

24 CHAIRMAN WARD: I second that.

25 COMMISSIONER RAYA: Okay. That's it.

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1                   COMMISSIONER PARVENU: That doesn't take us  
2 where we need to go. We still need to have staff work  
3 with the numbers to provide that information to us at  
4 the next meeting. So that motion I disagree with,  
5 unfortunately.

6                   COMMISSIONER AGUIRRE: Can we call the  
7 question?

8                   CHAIRMAN WARD: Pardon?

9                   COMMISSIONER AGUIRRE: Can we vote on the  
10 motion?

11                  CHAIRMAN WARD: Any other panel discussion on  
12 this motion, motion on the floor, that we have  
13 educational workshops?

14                  COMMISSIONER Di GUI LIO: Could I ask for it to  
15 be amended? Do we want it in concept have it be for  
16 seven, a number associated with that and not just in  
17 concept?

18                  COMMISSIONER BLANCO: I have no problem with  
19 the number.

20                  COMMISSIONER Di GUI LIO: Okay, to amend it just  
21 to give it an actual number and concept that we would  
22 have seven educational workshops.

23                  CHAIRMAN WARD: Is there a second on that?

24                         She's proposing an amended motion that we  
25 have educational meeting workshops, and the number of

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1 seven, that we agree to seven.

2 COMMISSIONER FORBES: Second.

3 CHAIRMAN WARD: So that motion is seconded and  
4 is on the table.

5 Any other panel discussion before we turn  
6 it over to public comment?

7 COMMISSIONER PARVENU: I do have a concern.  
8 That's a clear motion that we all agree with. It's a  
9 given that we all agree that we want to have educational  
10 workshops. I mean it's a motion that really is an  
11 absolute agreement. It's unanimous, I think. I think  
12 what's pertinent is that time is running out on us for  
13 the month of March. I mean it's only two weeks away,  
14 literally. And to not have staff work with the  
15 consultants to bring back some set of numbers in terms  
16 of costs for these seven meetings, I think we're missing  
17 a very big piece of what we need to accomplish over the  
18 next two weeks. So I'm not clear if this motion is  
19 actually putting our efforts into motion so that we'll  
20 have something concrete at our next meeting.

21 COMMISSIONER FORBES: Commissioner Parvenu, I  
22 would suggest that once this motion passes, as it will,  
23 that you make a motion to do just that, direct staff to  
24 do just that. That would be my suggestion.

25 COMMISSIONER PARVENU: It takes us back to the

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1 earlier motion that Commissioner DiGuilio proposed  
2 earlier which opened this whole discussion.

3 CHAIRMAN WARD: Thank you for the comment.

4 Any other comment from the panel?

5 COMMISSIONER GALAMBOS MALLOY: I move to limit  
6 debate on this motion.

7 CHAIRMAN WARD: At this point I'd like to open  
8 it up to the public for any public input regarding the  
9 motion on the floor only. Thank you.

10 AUDIENCE MEMBER: Hi, this is Kathay Feng.  
11 I'm glad that you're opening this up to public comment.  
12 I do have some thoughts.

13 And I think that time is very short and  
14 you all are up against not only a hard timeline but also  
15 a hard resource reality. And if I had to think about  
16 over the course of the next few months what your main  
17 focus has to be, the main focus has to be the public  
18 input phase, and it also has to be the next phase after  
19 that, which is taking comment as you adjust the maps  
20 that you're proposed. And so it is hard to say this  
21 because I think that public education is really  
22 important, but I do think that one thing you may want to  
23 consider is, given how limited your time and resources  
24 are and how hard is it to figure out when and where you  
25 all can be in the same room for a meeting, that with

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1 regard to the public input phase you should be focused  
2 on getting those times and dates nailed down to a "T,"  
3 not ten-day phases, but to a "T": "I'm going to be in  
4 this city or this town on these dates."

5                   And then during this education phase it  
6 may be useful to think about an alternative to seven  
7 workshops, which is to create a single video that is  
8 available online and DVD that organizations can run like  
9 crazy with and show in many, many more locations than  
10 seven, that is official, that has maybe a welcome  
11 message from several of you, that also has the official  
12 presentation on what the pieces are that people need to  
13 know, maybe has a navigational tool that allows you to  
14 jump when you've had enough of a particular section but  
15 you want to get to another section. I don't think that  
16 that video needs to be terribly long. We've done long  
17 workshops for a whole day, but I do believe that a  
18 workshop in about one to two hours is what you need.  
19 And a video that runs about that long is about what you  
20 need, because that's about what people will stand,  
21 regular folks who are not die-hard, sitting in the  
22 hearing listening to this all day.

23                   So I think, just with regard to that, I  
24 think that a simpler way may be, and it may be useful to  
25 at least have some apples to compare with whatever other

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1 fruit you're considering. And I would also suggest that  
2 there's a number of materials, outreach materials that  
3 groups have created, that I think many groups would be  
4 happy to share the content of, that would allow the  
5 Commission to tweak as you need to but, frankly, crib as  
6 much as you want to.

7                   Because I do think that time is of the  
8 essence and you don't need to recreate a lot of these  
9 things. For the content of the video, much of that also  
10 exists, but it may be that you want to create something  
11 fresh, particularly with your own stamp. That may be a  
12 way of resolving both the time issues and also, frankly,  
13 the money issues. And I think that a lot of  
14 organizations would run with it in a way that gives you  
15 much broader reach than what you could achieve even with  
16 seven outreach, and allows the staff to focus on what's  
17 really important, which is the public input hearings.

18                   Thank you.

19                   CHAIRMAN WARD: Thank you for your comment.

20                   AUDIENCE MEMBER: Jim Wright. Kathay's got an  
21 interesting thought there which triggered my thinking.  
22 What you've been talking about is a nice-to-have. It's  
23 not a necessary.

24                   Training the public can be done by a lot  
25 of other organizations and many organizations that are

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1 willing to do a lot of that as well, prepare their  
2 people to give you testimony. Time is running out. The  
3 thing you need to do and do as quickly as possible is to  
4 start to gather input from the public, from the  
5 organizations that want to challenge the current maps,  
6 are ready to help direct you as to what you should do  
7 with your maps.

8 As I said, this is -- doing a training,  
9 you sponsoring training of the public is a nice-to-have,  
10 not a necessary. Let's get on with the rest of the  
11 task.

12 Secondly, if I may offer a criticism to  
13 the Commission, and that is, please clear your private  
14 calendars.

15 CHAIRMAN WARD: I'm sorry, sir. We'll have to  
16 take the rest of that comment in open session. We can  
17 only take comments about the motion on the floor. And  
18 yours were excellent. Thank you for your comments.

19 AUDIENCE MEMBER: Thank you.

20 CHAIRMAN WARD: Karin, did you have anything  
21 you wanted to add?

22 MS. Mac DONALD: No, thank you.

23 CHAIRMAN WARD: Very good. Okay.

24 Let's take a vote on the motion on the  
25 floor. If you're in favor of the motion, raise your

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1 hand and say "yes."

2 COMMISSION MEMBERS: Yes.

3 CHAIRMAN WARD: All opposed?

4 Any abstentions?

5 COMMISSIONER DAI: I actually vote no. Sorry.

6 I had hoped we would have a chance to discuss it one  
7 more time after the public comment. I tend to agree  
8 with members of the public. We had talked before about,  
9 you know, really leveraging other resources to do the  
10 educational pieces.

11 CHAIRMAN WARD: Very good. Would anyone like  
12 to reconsider their vote at this time?

13 Any abstentions?

14 COMMISSIONER BLANCO: I guess I think it's a  
15 point of clarification. My point is to support that we  
16 do outreach. It's not in any particular format. If  
17 that's not a correct understanding of what the vote was,  
18 I apologize. Because I agree. I just want to move on.  
19 We agree that we're going to have seven outreach  
20 meetings. I think we can decide on the format, whether  
21 it's video, whether one person goes, whether -- and I  
22 would like to work with our executive director on that  
23 piece. But perhaps that wasn't the motion as other  
24 people understand it.

25 COMMISSIONER DAI: Yeah, I think the motion

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1 was actually for educational workshops in seven  
2 locations, so it's not video; it's not a DVD.

3 CHAIRMAN WARD: If I'm correct, the motion was  
4 put to the floor and voted on at this point. But just  
5 for the Commission's sake, I'd just like to have it  
6 restated. The motion was moved that we agree in  
7 principle to having seven educational workshops.

8 COMMISSIONER BLANCO: That the Commission  
9 conducts?

10 COMMISSIONER DiGUILIO: Can I suggest that,  
11 put out an additional motion that we also, in concept,  
12 agree to doing educational meetings and a video -- to  
13 exploring additional formats for educational meetings,  
14 so that we can have one proposal that comes to us that  
15 discusses the actual physical seven locations of  
16 educational meetings and another proposal, if I put  
17 another motion on for another proposal that would  
18 include educational workshops in another format other  
19 than physical meetings? Or is that just confusing the  
20 issue too much?

21 COMMISSIONER FORBES: No, I think that we  
22 should do that. And I would second that. I was  
23 actually going to propose that that be considered as a  
24 part of direction to staff, but I think a motion as a  
25 separate entity is a good thing, and I'll second that

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1 motion.

2 COMMISSIONER ONTAI: I just want to comment on  
3 Commissioner Dai's comment. Yes, I think we have a  
4 number of organizations that we see as partners, and  
5 they'll be helping us to send out educational materials  
6 and having their own separate forums. But I think the  
7 seven educational meetings that this Commission would do  
8 under this motion would also be a test period for us to  
9 experiment with the two consultants and how they would  
10 work together and how they would actually put the plan  
11 together. So it's a forerunner for phase two and phase  
12 three.

13 CHAIRMAN WARD: Commissioner Filkins Webber?

14 COMMISSIONER FILKINS WEBBER: Also in response  
15 to Commissioner Dai's concerns, I see the responsibility  
16 of an education workshop sponsored, for lack of a better  
17 word, from this Commission to be very important so that  
18 the public understands that there is a manner that these  
19 consultants are suggesting that the public needs to  
20 present information to this Commission. I don't believe  
21 that if this Commission relies on private sources  
22 providing information to the public regarding training  
23 to the public about how they need to present information  
24 to us, I don't know -- I know everybody that's out  
25 there, true, but I don't know what information they're

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1 providing to the public.

2 But at least if we agree to these  
3 educational workshops that are being proposed and  
4 offered by this Commission, I feel comfortable that we  
5 put something together that instructed the public  
6 regarding the manner in which they would present  
7 information to us that would be reliable. Because we  
8 can't go back later and say, Well, we just expected  
9 Common Cause would get out there and teach the public  
10 the right way to do it, when in actuality the public  
11 wasn't properly informed about the manner the  
12 information should be provided to us.

13 Because certainly once we have an  
14 opportunity to hold the input hearings -- I mean that's  
15 what everybody is talking about is important -- we need  
16 to make sure that they come to us appropriately and  
17 submit the information to us appropriately. So we  
18 should be charged with the responsibility of educating  
19 the public so that at a later time, if we need to draw  
20 these lines and make decisions regarding certain areas,  
21 if the public didn't provide us the information in the  
22 manner in which we could use it after we've already  
23 instructed and provided education to them about how we  
24 need to be informed, we need to do it to the best of our  
25 ability. And so I think we are charged with the

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1 responsibility to advise the public regarding the manner  
2 in which this information should be presented to us.

3 CHAIRMAN WARD: So we're going to go ahead.  
4 We have a motion on the floor. Fantastic comments  
5 regarding a decision that's been made and moved past at  
6 this point. So let's go ahead and have a restating of  
7 the motion that's on the floor and move forward.

8 COMMISSIONER Di GUI LIO: I'd like to make a  
9 motion that we also consider other formats for  
10 educational meetings, such as video, online postings, so  
11 that -- I'd like to consider options for other formats  
12 for educational meetings. Is that enough?

13 CHAIRMAN WARD: May we just direct staff to do  
14 that?

15 COMMISSIONER FORBES: -- (inaudible) --

16 CHAIRMAN WARD: So we have a second on that  
17 motion. Very good.

18 Any further discussion from the panel?

19 Commissioner Yao?

20 COMMISSIONER YAO: Question. Does this  
21 involve committing any amount of money to pursue the  
22 output that we're expecting the next time we meet?

23 COMMISSIONER Di GUI LIO: My motion was simply  
24 to be able to provide parameters for any consultants  
25 to -- if we would like to know what the cost of this is

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1 we have to be able to tell them, "The Commission would  
2 like you -- we'd like to task you with giving us the  
3 money, the budgetary requirements for doing..." whether  
4 it be the seven educational meetings or the actual other  
5 formats for educational meetings.

6 COMMISSIONER DAI: For example, this might be  
7 a how-to video on the website, which I think would get  
8 far wider distribution than seven locations.

9 COMMISSIONER DiGUILIO: So this motion would  
10 be simply agreeing that we would like to look into that  
11 as an option and we would like to get feedback from  
12 consultants as to what those elements would be and what  
13 the cost associated for -- for other formats of  
14 educational meetings.

15 CHAIRMAN WARD: Commissioner Ontai?

16 COMMISSIONER ONTAI: So the answer to the  
17 question is no.

18 CHAIRMAN WARD: Correct.

19 Okay. So we had a motion and second to  
20 pursue a motion that we will look into other and all  
21 media vehicles by which to conduct these training  
22 sessions. Is that an accurate restatement of your  
23 motion?

24 COMMISSIONER DiGUILIO: Yes.

25 CHAIRMAN WARD: And it's been seconded.

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1 Mr. Claypool has a comment.

2 MR. CLAYPOOL: I just have a question, not a  
3 comment. So my question is, I heard staff will look  
4 into this, okay? Am I correct or incorrect?

5 COMMISSIONER Di GUILIO: I think that it's --  
6 we're going to try to have staff work with consultants,  
7 task consultants to provide the scope of work for us.  
8 There's two options for educational meetings that we  
9 proposed. One are the physical meetings and one are the  
10 other options. So it would be staff to work with  
11 consultants to give us that scope of work.

12 MR. CLAYPOOL: And the only clarification I  
13 would ask is, would we then work through the technical  
14 committee before we come back? I just want to make sure  
15 that we know the route we're supposed to take with this  
16 information. Because I know -- so we would work through  
17 the technical committee. Am I correct?

18 COMMISSIONER Di GUILIO: I think there's a  
19 junction between technical and outreach, but let's be  
20 the point person for now.

21 MR. CLAYPOOL: Okay.

22 COMMISSIONER PARVENU: Thank you also for that  
23 clarification. I needed to hear that.

24 CHAIRMAN WARD: At this point I'd like to open  
25 the microphone to the public who might have any comments

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1 directly related to the issue of exploring other  
2 vehicles and all vehicles for conducting training  
3 workshops.

4                   Seeing no one moving to the microphone,  
5 I'd like to take a vote on this motion. If you're in  
6 favor, raise your hand and say "yes."

7                   COMMISSION MEMBERS: Yes.

8                   CHAIRMAN WARD: All opposed?

9                   Any abstentions?

10                  And so moved.

11                  COMMISSIONER YAO: Chair Ward?

12                  COMMISSIONER Di GUI LIO: Congratulations,  
13 everyone, on getting these educational workshops under  
14 our belt. Now let's move on --

15                  CHAIRMAN WARD: I think the Commissioner has a  
16 point of order.

17                  COMMISSIONER Di GUI LIO: Oh, I'm sorry.

18                  COMMISSIONER YAO: Let me try to make another  
19 motion which I think will push our cause a little  
20 further than what the first two motions that we did. I  
21 think if we simply come back in February and start  
22 looking at proposals, we would have slipped our schedule  
23 even further. But I still have concern about approving  
24 something that we don't have complete data on.

25                  So the motion I'm about to make is to

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1 approve an expenditure not to exceed let's say \$100,000  
2 so that we can have a package that's a training package,  
3 whether we do it ourselves or whether we go out and  
4 solicit partners to deliver the training package and  
5 stay on the training schedule that's been previously  
6 approved, okay.

7                   The difference between what I just  
8 proposed and the very initial proposal was that the very  
9 initial proposal, I couldn't see a maximum number to the  
10 expenditure because no one is willing to commit to any  
11 number. But the proposal I'm making is that at least  
12 there's a cap on it, and I know that we're not going to  
13 exceed it. And I think that will give the subcommittee  
14 and staff and anybody that's interested in making  
15 progress with the training the flexibility to move  
16 forward at the pace that we want to move. So that's the  
17 motion I'm putting before the group.

18                   COMMISSIONER Di GUILIO: Can I suggest, because  
19 I do think this is an important issue Commissioner Yao  
20 is raising, but I think our legal counsel has something  
21 to say about contracts and how we can do those and the  
22 limitations and the monetary and the structure. So can  
23 I propose that we postpone that and have Mr. Miller  
24 discuss that after we get one more item of business  
25 regarding the technical committee under our belt? Would

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1 you feel comfortable with that, Commissioner Yao?

2 CHAIRMAN WARD: I'd like to, as Chair, just  
3 see if there's even a second that we need to table that  
4 for. Is there a second for Commissioner Yao's motion?

5 Not hearing any second at this time,  
6 we'll move forward with the subcommittee agenda.

7 COMMISSIONER Di GIULIO: Okay, again, I'd like  
8 to just move on to the public input hearings, and in a  
9 similar manner I think I'm going to ask for two things  
10 to be considered by this Commission, and maybe more  
11 based on our discussion. But what it would be, again,  
12 is in a conceptual basis if -- we have to have an  
13 agreement on how we'd like to move forward so again we  
14 can ask our consultants to come forward with an actual  
15 hard schedule for these public input hearings.

16 So in order to give them, whoever the  
17 consultant may be, in order to give them the parameters,  
18 I'd like the Commission first to discuss -- excuse me,  
19 let me back up.

20 As I understand it, our intention is to  
21 try and have at least three commissioners at a meeting,  
22 at a public input hearing, with the option of getting as  
23 many as possible that can actually attend. The next  
24 question is if the Commission agrees on the concept of  
25 the nine regions and having at least one meeting for

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1 each phase within those nine regions, if we could at  
2 least have an idea of the number of meetings we'd like  
3 to start off with so we can have a hard schedule  
4 presented to us, I think, as the public input has  
5 suggested, we need to actually have some meetings down  
6 on paper that we can look at and say, yes, we agree to,  
7 no, we want more or less. But we have to start  
8 someplace.

9 Can I ask the Commission to consider if  
10 we do three -- excuse me, one meeting for each phase in  
11 a region, that gives us 27 meetings. If we'd like to  
12 bump it up to at least four meetings per region, we're  
13 at 36, and so on. So would the commissioners like to  
14 discuss a potential number to look at for public input  
15 hearings?

16 CHAIRMAN WARD: I thought I'd jump in first  
17 this time. The only thing, as I was trying to review  
18 this and understand, not having not been in on the  
19 subcommittee meeting, so perhaps this was addressed  
20 there, but I'm not entirely sure -- I guess I was  
21 expecting the technical committee to come forward and  
22 present to us that regional approach and help us  
23 understand how that was created and why that's the best,  
24 nine-region approach is the best way to tackle this.

25 COMMISSIONER DiGUILIO: And I may have Karin

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1 address that since it was part of the methodology that  
2 was in there. I think part of it was to try to get a  
3 handle on a regional approach from which within that  
4 region we can move around to make sure we try to get the  
5 geographic diversity. But I'll have Karin discuss that.

6 MS. Mac DONALD: Right. Well, there are two  
7 ways of going about this. One, I could bring back the  
8 presentation that I gave yesterday, the PowerPoint. You  
9 actually have it. I don't know if you can -- or I can  
10 just walk you through it. You have all the supporting  
11 documents, basically.

12 CHAIRMAN WARD: May I ask is this presentation  
13 available or going to be available for the public view?  
14 I'm concerned that the public understand, if we were  
15 take a vote on the nine-region concept and all that, I  
16 want to make sure everybody understands, including  
17 myself, why we chose a nine-region concept.

18 COMMISSIONER FILKINS WEBBER: I'm sorry,  
19 Chairman Ward, this was discussed in the subcommittee  
20 meeting yesterday fully, and it was a public hearing.

21 CHAIRMAN WARD: Very good.

22 COMMISSIONER FILKINS WEBBER: I'm not certain  
23 why we would be asking Ms. Mac Donald to go through. I  
24 did sit in for a brief period of time and I understand  
25 where these concepts come from, but I don't know if it's

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1 an efficient use of this full Commission's time for  
2 something that she's fully completely presented to the  
3 public yesterday in a subcommittee.

4 I certainly appreciate your question. I  
5 know how she got to the nine because I sat in on it, but  
6 I thought the idea was to accept reporting from  
7 subcommittees rather than having them reiterate  
8 everything that was already presented by a consultant  
9 expert that spoke at a subcommittee meeting.

10 CHAIRMAN WARD: I think that's a great point  
11 and I thank you for raising it,  
12 Commissioner Filkins Webber. However, we have to vote  
13 on that, and I think that it's a fair question to ask,  
14 to have just at least a basic understanding of what data  
15 drives to make that decision. If I was asked why did I  
16 vote for a nine-region concept as opposed to a  
17 ten-region concept, I could not answer that question.

18 COMMISSIONER DiGIULIO: Can I suggest that for  
19 the sake of getting the ball started that we consider  
20 nine. We're not locking ourselves into nine. But if we  
21 start with nine as an overarching for regions and any  
22 consultants came back to us with a proposal of schedule  
23 of meetings based on these nine regions and we took a  
24 look at it and said, "You know what, we're really  
25 missing this over here; let's add an extra region." But

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1 I think we have to start somewhere, so the point was to  
2 start with nine.

3 CHAIRMAN WARD: Commissioner Dai?

4 COMMISSIONER DAI: Ms. Mac Donald, could you  
5 in one minute tell us why there are nine regions?

6 COMMISSIONER GALAMBOS MALLOY: Even up to five  
7 minutes, I think we could agree.

8 MS. Mac DONALD: Okay. Well, I can summarize  
9 it really quickly. The handout that I passed out  
10 earlier, let me just walk you through it. So first  
11 there's this document that says Draft 2-10-11, so that's  
12 basically the document that describes both approaches.  
13 One is the approach to locate the educational background  
14 meetings and where they might go, and that's basically  
15 the methodology that we use to, again, locate the  
16 redistricting assistance sites for the Irvine centers,  
17 or the Irvine-funded centers. That methodology is in  
18 Appendix 1, and the map that refers to it is Appendix 2.

19 Now the question is nine regions. Now,  
20 that is a different methodology, so now I would refer  
21 you to Appendix 3 and the map that is entitled  
22 Appendix 4. So what I'm going to summarize right now is  
23 Appendix 3 very quickly, and it is really described in  
24 the first document. Again, that's entitled Draft  
25 2-10-11.

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1                   For these inputs hearings, as I entitled  
2   them in this particular document, we tried to come up  
3   with a methodology that would incorporate your desire,  
4   the Commission's desire to reach populations that had  
5   previously not necessarily been engaged in the  
6   redistricting process. And you recall this came out of  
7   the idea of perhaps doing 50 meetings out in areas in  
8   California, and then, you know, one of the locations  
9   that was specifically outlined was I think Susanville  
10   and then also Eureka. And we also considered some  
11   geographic regions and commonalities in just organizing  
12   these regions.

13                   So these regions are really organizing  
14   units. And to go one step further, these regions can,  
15   further on, or later on also be used to organize  
16   line-drawing activities. So I really took a bit of a  
17   comprehensive approach here to save some time and money,  
18   because both are short.

19                   So really you shouldn't look at these in  
20   terms of set in stone. Really look at them as  
21   organizing units. You can look at the most northern  
22   region, which is region 8, I believe, or region 9.  
23   Yeah, region 9. And then you could envision perhaps  
24   holding your first public input hearing maybe up in  
25   Eureka, because that's where some of you would like to

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1 go, and have that first one there.

2 But then the next time you go back go  
3 someplace else in that particular region. And perhaps,  
4 if we go back the second time, we will already have some  
5 census data so we know where the lines are going to  
6 fall. So then there's going to be an interaction with  
7 you because many of you know these areas very well and  
8 the suggestion of where the specific hearing location  
9 should be. And then that should go to the outreach  
10 consultants. They will find us a spot to actually do  
11 that. And then we collect input.

12 So that's really how we were thinking  
13 about this particular approach. So don't -- I'm not  
14 suggesting that these are communities of interest, that  
15 there's anything else other than it's an organizing  
16 unit. It makes a lot of sense. We have to start  
17 someplace. It gives us flexibility and it enables you  
18 to do what you stated to me you wanted to do. And  
19 everything in detail is in these appendices.

20 And I think that's about -- if you have  
21 questions, then I'll go into those.

22 CHAIRMAN WARD: Thank you, Karin. That was  
23 very helpful.

24 COMMISSIONER FORBES: I don't have a question.  
25 I just have a comment. I think that as long as we can

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1 move around the meetings, and that's at this point the  
2 concept, that I think going with the nine regions at  
3 this point is a useful thing. Because I do think we  
4 have to move down the field. So I would be comfortable  
5 that we direct staff to come up with a hard schedule of  
6 meeting this plan.

7 Perhaps the location may be more  
8 difficult, but in terms of we're going to be in district  
9 3 on these dates. And then we'll leave it where that  
10 might be for a later date. I think the hard schedule  
11 for all of us, the sooner we know, the better chance we  
12 have of being able to make more meetings rather than  
13 fewer.

14 CHAIRMAN WARD: Commissioner DiGuilio?

15 COMMISSIONER DIGUILIO: And just the  
16 logistics, we wouldn't be tasking staff to do it. We  
17 would be tasking consultants. Just the logistics,  
18 because I see staff over there going...

19 CHAIRMAN WARD: Connie?

20 COMMISSIONER GALAMBOS MALLOY: I would  
21 actually be interested in seeing both the 27-meeting and  
22 the 36-meeting approach. That's something that I think  
23 is easily asked for the consultants to prepare a couple  
24 options for us.

25 MS. Mac DONALD: May I add to that that I was

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1 actually also suggesting that you schedule one hearing  
2 in addition for statewide groups. I don't know if you  
3 want to do that in Sacramento or where, but that could  
4 also be scheduled. I think it's really important to  
5 schedule at least one or two of these hearings in each  
6 region well in advance so that the public can prepare to  
7 actually see you at that point and have their testimony  
8 ready for you.

9 COMMISSIONER FORBES: Would it be useful to  
10 plan two, one in Northern California and one in  
11 Southern, for the statewide groups?

12 MS. Mac DONALD: The statewide? Well, if you  
13 think about, the way I am right now, and if you don't  
14 want to add too many hearings, then I would say do one  
15 in each phase at a minimum, and then you could of course  
16 also -- you know, since, then, California is your  
17 region, then you can also jump around.

18 COMMISSIONER GALAMBOS MALLOY: So building off  
19 of that piece of feedback, I'd like to redirect  
20 commissioners to the agenda that was posted which is our  
21 agenda for our February 23rd through 27th meeting in  
22 Sacramento. I think it was given to you late this  
23 morning. If you turn to the back page, anticipating  
24 that this might be a direction that we'd want to take as  
25 a Commission, I went ahead and took the liberty, working

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1 with Vice Commissioner Filkins Webber for that meeting,  
2 to actually post an opportunity to do a Commission  
3 session to receive information on efforts to educate the  
4 public on redistricting.

5 Now, the thinking behind this would be  
6 that this would be an opportunity for us to go ahead and  
7 get started on one of these listening sessions; and that  
8 we will already be in Sacramento. We have an excellent  
9 space that's being provided to us there by the  
10 legislature. The objective of the session would be to  
11 give commissioners a general understanding of the  
12 redistricting education and outreach done by  
13 citizen-based organizations and groups statewide and the  
14 plans for those entities for additional outreach in the  
15 future.

16 The goal of the session would not be to  
17 receive formal communities-of-interest testimony. Those  
18 are currently being scheduled, of course, as we've just  
19 directed staff or consultants to work on various  
20 proposals, and will be held across the state.

21 With the posting of the agenda, groups  
22 and organizations are invited to give presentations to  
23 the Commission, and this would offer two opportunities.  
24 One would be that groups who have a statewide interest  
25 in redistricting could schedule to make a presentation

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1 to the Commission as a group on behalf of a larger  
2 number of community members. And we would also provide  
3 the opportunity for individuals who are interested who  
4 have statewide feedback and perspectives to weigh in.

5 So this is a placeholder. This is an  
6 option that's there. We do have the facilities there.  
7 We do have working relationships now with consultants  
8 who could actually help us pull this off. But I wanted  
9 to put it on the table so that when we come out of  
10 session here we're able to have a firm decision on  
11 whether we're going to move forward with this particular  
12 outreach meeting on February 26th.

13 CHAIRMAN WARD: Thank you for pointing that  
14 out, Vice Chair. Why don't we consider that as a  
15 Commission and revisit it when we discuss scheduling and  
16 calendaring towards the close of business tomorrow and  
17 we can further define and make that happen.

18 Commissioner DiGuilio?

19 COMMISSIONER DIGUILIO: I was curious as to  
20 whether there was other discussion. Otherwise I would  
21 present a motion to say that we would like to have both  
22 at least the 27 and the 36 format, number of meetings  
23 for the public input hearing to be -- let me rephrase  
24 this.

25 I'd like to have a motion that we ask

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1 consultants to present options for both the 27 and 36  
2 meetings, plus I would say -- was it a recommendation  
3 for three? -- at least three statewide meetings.

4 COMMISSIONER FORBES: Second.

5 COMMISSIONER DAI: Point of order. We already  
6 have a motion on the floor about the nine-region  
7 approach.

8 COMMISSIONER BLANCO: I'll second that motion.  
9 That hadn't gotten a second yet, had it?

10 COMMISSIONER DAI: Yes.

11 COMMISSIONER BLANCO: Oh, it was seconded?

12 CHAIRMAN WARD: We were just looking for a  
13 restating of the motion.

14 COMMISSIONER DAI: Did we get a second,  
15 Janeece?

16 MS. SARGIS: I didn't hear one.

17 COMMISSIONER BLANCO: I second  
18 Commissioner Forbes's motion.

19 COMMISSIONER DAI: It was  
20 Commissioner DiGuilio's motion.

21 CHAIRMAN WARD: There's a motion on the floor  
22 and it's been seconded by both Commissioner Blanco and  
23 Commissioner Forbes, and I'm asking is there any further  
24 panel debate?

25 COMMISSIONER RAYA: Which motion are we -- I

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1 understood that there was one. There was a motion made  
2 by Commissioner DiGuilio to go with nine regions. I  
3 don't know if there was a second to that.

4 COMMISSIONER DIGUILIO: I'm sorry, I got ahead  
5 of myself. So I'd like to go back to the original  
6 for -- a motion for the nine-region approach for the  
7 public input hearings.

8 CHAIRMAN WARD: Let's go ahead, for complete  
9 clarity's sake -- and I see Janeece with her hand up.  
10 Let's go ahead and have a statement of exactly what the  
11 motion is right now, and we'll confirm the seconds, and  
12 then we're going to vote on this.

13 COMMISSIONER DIGUILIO: Okay, the motion is to  
14 approve in concept the nine-region approach for the  
15 public input hearings.

16 CHAIRMAN WARD: Okay. That was your second,  
17 correct, Commissioner Blanco?

18 COMMISSIONER BLANCO: -- (inaudible) --

19 CHAIRMAN WARD: Okay. Any further panel  
20 debate on that. Commissioner?

21 COMMISSIONER ANCHETA: Well, I can either  
22 offer a friendly amendment, which is to add the other  
23 suggested motion, or we can do a separate motion, which  
24 is to include the statewide input hearings as well,  
25 which I think is not in your original motion. So I'd

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1 offer that as a friendly amendment.

2 CHAIRMAN WARD: The amendment is noted. Could  
3 you please state that amendment?

4 COMMISSIONER ANCHETA: I propose that the  
5 motion be amended to include language that at least one  
6 statewide hearing be conducted by the Commission.

7 COMMISSIONER Di GUILIO: I think actually that  
8 was a part of the second motion that I made, which was  
9 the 27 versus 36.

10 So my first motion was simply to approve  
11 the nine regions.

12 COMMISSIONER ANCHETA: Okay. Whatever gets it  
13 on --

14 COMMISSIONER Di GUILIO: And the second motion  
15 was to -- yeah, let's stay there.

16 CHAIRMAN WARD: So is there a second to that  
17 amendment?

18 Not seeing any second --

19 COMMISSIONER FILKINS WEBBER: It was an  
20 amendment to the motion, and that's why I would second.

21 CHAIRMAN WARD: So we have a second to the  
22 amended motion that we're going to approach a  
23 nine-region concept for public outreach and --

24 Was it one or at least one?

25 COMMISSIONER ANCHETA: At least one.

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1 CHAIRMAN WARD: -- (continuing) at least one  
2 statewide meeting.

3 Any further panel discussion on this  
4 motion? Okay.

5 COMMISSIONER DAI: Commissioner Ancheta, do  
6 you want to clarify this was for statewide groups, as  
7 was suggested by Ms. MacDonald. Or what did you mean  
8 by "one additional public input meeting," since they're  
9 all input meetings.

10 COMMISSIONER ANCHETA: Okay, let me clarify  
11 that. And I will rely -- maybe more specifically that  
12 there be at least one input hearing scheduled during  
13 each phase specifically focused on statewide issues that  
14 are not specific to any one region.

15 CHAIRMAN WARD: So noted. Any other panel  
16 discussion?

17 Okay, at this point we'll go ahead and  
18 open the microphone for public comment on strictly the  
19 motion on the floor of a nine-region approach to public  
20 outreach and at least one statewide outreach meeting.

21 Sir?

22 AUDIENCE MEMBER: Good afternoon. I'm Bruce  
23 Campbell. This nine-region approach doesn't acknowledge  
24 the distinct community of interest on the north coast  
25 and the physiographic province and all. And also

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1 Mr. Ontai's handout had north coastal as one of six  
2 districts, and all of a sudden region 9 is massive. And  
3 are we to sort of assume that there will a somewhat  
4 similar number of hearings in tiny Orange County as in  
5 this massive region 9? So I don't care for it.

6 CHAIRMAN WARD: Thank you for your comment.

7 AUDIENCE MEMBER: Doug Johnson from the  
8 Rose Institute. If I may just ask a clarifying question  
9 on the statewide issues forum. And I think I know where  
10 the Commission is, but I just wanted to get it for the  
11 public. Is the goal that if someone wants to talk at  
12 that hearing about a local regional issue the Commission  
13 won't hear it, or are you just trying to say that that  
14 will be the focus of that hearing?

15 Thank you.

16 CHAIRMAN WARD: We'll let the subcommittee  
17 clarify that after we're done with public comment.

18 Any further public comment on this issue?

19 No one else approaching the microphone,  
20 we'll close that.

21 And would the subcommittee like to  
22 clarify what the statewide meeting might entail or  
23 exclude?

24 COMMISSIONER DiGUILIO: Do we need to discuss  
25 that now?

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1 CHAIRMAN WARD: I just wanted you to make a  
2 clarifying statement.

3 COMMISSIONER DiGUILO: Oh, okay.

4 CHAIRMAN WARD: As I understood, the statewide  
5 meeting is open to anyone. It was just an invitation  
6 for statewide groups.

7 COMMISSIONER DiGUILO: That would be the  
8 primary focus, but it wouldn't be at the exclusion of  
9 other groups.

10 CHAIRMAN WARD: Excellent.

11 Any more panel discussion on this matter?  
12 Okay, let's take a vote. All in favor raise your hand  
13 and say "yes," please.

14 COMMISSION MEMBERS: Yes.

15 CHAIRMAN WARD: All opposed?

16 Any abstentions?

17 Okay, the motion is passed.

18 Commissioner DiGuilio?

19 COMMISSIONER DiGUILO: The only other thing  
20 would be the second part of that motion which we were  
21 discussing earlier is, again, to give the parameters and  
22 concept for 27 and 36 type of structure for public input  
23 hearings, that again we can go forward with actually  
24 having an outline, a schedule of meetings based on 27 or  
25 36 public input hearings for our review at a later date.

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1                   COMMISSIONER DAI: I'm sorry to be a stickler  
2 on this, but I think there's a point of order, because  
3 Commissioner Ancheta actually made an amendment, so we  
4 were voting on the amendment. So we need to vote on the  
5 full motion now.

6                   CHAIRMAN WARD: Can I have a restatement of  
7 the motion on the floor?

8                   COMMISSIONER DAI: Commissioner Ancheta, your  
9 amendment?

10                  COMMISSIONER ANCHETA: -- (inaudible) --

11                  CHAIRMAN WARD: No, we passed the amended  
12 motion.

13                  COMMISSIONER DAI: We're back to the original  
14 motion now.

15                  CHAIRMAN WARD: We're back to the original  
16 motion.

17                  COMMISSIONER DAI: So would you like to state  
18 the full motion with Commissioner Ancheta's motion just  
19 to be clear.

20                  COMMISSIONER DIGUILIO: And we're talking  
21 about the nine regions?

22                  COMMISSIONER DAI: Yes.

23                  COMMISSIONER DIGUILIO: That we approve a nine  
24 regional approach for the public input hearings with the  
25 amendment to include statewide meetings.

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1 CHAIRMAN WARD: That was voted on and passed.  
2 I think there's an original motion that's still on the  
3 floor that you can feel free to withdraw.

4 COMMISSIONER Di GUI LIO: Okay, the original one  
5 was just simply the nine regions.

6 CHAIRMAN WARD: That was seconded.

7 COMMISSIONER Di GUI LLO: Sorry.

8 CHAIRMAN WARD: Okay. Would you like to vote  
9 or withdraw on that motion?

10 COMMISSIONER DAI: We have to vote on it.

11 CHAIRMAN WARD: We have to vote on it.

12 COMMISSIONER DAI: Yes. Just, Chair --

13 CHAIRMAN WARD: The way I understood it is we  
14 didn't just vote on the amendment, though. When we  
15 stated the motion that we were voting on we wrapped it  
16 all into one. So perhaps that was my error, but it's  
17 already passed so I don't think we need to revote  
18 because I made an error and didn't separate out the  
19 amendment first. I don't believe that we need to go  
20 ahead --

21 COMMISSIONER DAI: Well, I actually think we  
22 do.

23 COMMISSIONER FORBES: I think procedurally we  
24 voted on the motion for the amendment and that got added  
25 to the original motion, so now we have the original

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1 motion with the amendment on the table.

2 COMMISSIONER DAI: We do have to vote on it.

3 CHAIRMAN WARD: Could you restate the motion  
4 for us, please, Commissioner Dai?

5 COMMISSIONER DAI: As I understand it, the  
6 motion was to vote on the concept of a nine-region  
7 approach and to add -- and we only voted on the  
8 amendment, which was to add a statewide issues meeting  
9 in each of the regions. That's what we voted on.

10 CHAIRMAN WARD: May I ask staff, Janeece, what  
11 did you record as our vote?

12 MS. SARGIS: My understanding was that the  
13 amended motion was wrapped into the original motion and  
14 that that was voted on and passed.

15 CHAIRMAN WARD: As stated I think three times,  
16 right?

17 MS. SARGIS: Yes.

18 COMMISSIONER DAI: Right. We can't just wrap  
19 it, though. You have to formally amend a motion. So we  
20 voted on the amendment, and that was to add the  
21 statewide meeting in each one. Now we're back to the  
22 original motion which has now been amended.

23 CHAIRMAN WARD: I second it.

24 Any further comment on this motion?

25 Okay, I'd like to open it up to the

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1 public at this time.

2 AUDIENCE MEMBER: I might suggest to the  
3 Commission that when you have confusion about what the  
4 motion on the floor is perhaps the reporter can read  
5 back the original motion rather than all the  
6 machinations you've just gone through.

7 In the discussion of the motion there was  
8 also the issue raised of whether you're going to have 27  
9 or 36 or 48 possible sessions, and I don't think that  
10 was addressed in subsequent discussion, although I think  
11 it was part of the original motion which should be in  
12 the record. And as to that issue of 27 or 36 or 48, an  
13 earlier public comment talked about the gigantic  
14 region 9, and I would add region 6 and the northern half  
15 of region 2.

16 For some of these huge geographic areas  
17 you may not want to tie yourself to a particular number  
18 of sessions in those regions. I'm guessing that  
19 region 9 could easily call for four or more sessions  
20 simply because of the huge geographic area and the  
21 geographic separation with mountains from coastal and so  
22 forth and so on.

23 So I don't know where you want to take it  
24 from there, but I think you perhaps need to have a basis  
25 to go back and recall what the original motion was,

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1 because the motion seemed to be restated differently  
2 each time that you asked for a recap.

3 CHAIRMAN WARD: Thank you for your comments.  
4 I appreciate that.

5 COMMISSIONER DIGUILIO: Maybe I could clarify.  
6 I think we had this confusion so we went back and simply  
7 started a nine-region approach to try and get that.  
8 That was the motion for nine regions, and hence the  
9 amendment for that. And then we were going to return  
10 back to the actual number once we were finished with  
11 this conversation.

12 CHAIRMAN WARD: We have another comment?

13 AUDIENCE MEMBER: I wonder if it's possible  
14 to -- like the term "several," doesn't that mean like  
15 two to somewhere around six or seven. So it seems like  
16 that would encompass and wouldn't be tied to a certain  
17 number in various regions. I like to be specific but  
18 that's sort of vague, yet encompassing.

19 CHAIRMAN WARD: Thank you for your comment.

20 At this time, seeing no one else  
21 approaching the microphone, I would like to put this  
22 motion to vote. All in favor of the motion on the  
23 floor, please raise your hand and say "yes."

24 COMMISSION MEMBERS: Yes.

25 CHAIRMAN WARD: All opposed.

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1 Any abstention?

2 And the motion is moved.

3 COMMISSIONER AGUIRRE: Mr. Chair, let me just  
4 make a comment at this time, and that is that I think  
5 you're doing a great job in herding cats. And I would  
6 ask the public to be patient with us because, yes, it  
7 gets awkward at times, but I think as a Commission we're  
8 committed to the mission, and if it means that we extend  
9 our day into the evening to make sure that we take care  
10 of the business, that's what we do. But ultimately  
11 we're trying to lay the brick foundation for a very  
12 solid process in the future. It's all about serving the  
13 public.

14 So I was watching you and thinking, "Take  
15 a deep breath, brother." Because sitting in that chair  
16 is not an easy thing to do, and I appreciate your work.

17 CHAIRMAN WARD: No problem at all. The debate  
18 is fantastic and well needed, you're right.

19 Commissioner Di Giulio?

20 COMMISSIONER DI GIULIO: I think just lastly,  
21 the one last thing as I understand would be helpful, in  
22 terms of getting some parameters again for the  
23 consultants to work with, would be addressing the  
24 number, a starting point for the number of public input  
25 hearings. And so I would like to, if the commissioners

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1 have any feedback in regards to 27 versus 36 or if we  
2 should just move to a motion to look at -- as to those  
3 two starting points.

4 CHAIRMAN WARD: Commissioner Ontai?

5 COMMISSIONER ONTAI: I was just going to echo  
6 the comments made by Commissioner Aguirre, that the  
7 viewing public be very patient with us. It's been a  
8 long night, and as I'm listening to  
9 Commissioner DiGuilio I just want to share this, that --  
10 with my fellow commissioners, that she was up until 3:00  
11 o'clock this morning putting these notes together. So  
12 bear with her.

13 COMMISSIONER FORBES: She asked for a comment  
14 on the 27 versus the 36. I think the initial idea was  
15 to try to come up with a schedule for both. And just in  
16 my opinion, that for the sake of the public, concern  
17 about some of these larger regions, that does not  
18 preclude us from down the road adding. But for the  
19 purposes of asking our staff to work over the next two  
20 weeks with the consultants, that I would support the 27  
21 or 36 as alternates.

22 COMMISSIONER FILKINS WEBBER: I just have one  
23 question, and you certainly may have addressed this. As  
24 I understand it, you're talking about one meeting per  
25 phase, three meetings per region. That gets you to the

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1 27. What's the additional fourth meeting for in these  
2 regions?

3 COMMISSIONER Di GUI LIO: I think it was just  
4 the understanding that particularly as we get into the  
5 nitty-gritty that there may be a need for at least going  
6 back twice in phase two. So that gives you an option of  
7 four meetings. So it's just building anticipation that  
8 at the bare minimum we've asked to go in three times,  
9 but let's look at an option that gives us four, and  
10 knowing -- I think if we try to provide a condensed  
11 schedule, then maybe we can have options to add more  
12 later on.

13 COMMISSIONER FILKINS WEBBER: So it's not just  
14 a particular region, a special region meeting, that  
15 fourth one. It's just the possibility of still  
16 accepting further input because you would find that you  
17 needed it. It's not a special fourth meeting.

18 COMMISSIONER Di GUI LIO: Correct.

19 COMMISSIONER FILKINS WEBBER: Thank you.

20 MS. Mac DONALD: Yes, if I may, it's really  
21 just designed to give you some flexibility. Because  
22 once we know which way the lines are going to be moving  
23 you may see the need to hold five or so, or six even,  
24 hearings in some of these organizing units, but in  
25 others you may just have to hold one because there's not

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1 that much public input and the issues are pretty clear  
2 and the public is ecstatic about the lines you're going  
3 to be proposing. It does happen.

4 COMMISSIONER GALAMBOS MALLOY: Commissioner  
5 Ward, I have a clarification as well, which is in  
6 regards to the statewide input hearings. So if we were  
7 to that say we're going to see a proposal with 27  
8 meetings as one approach, it would actually be 27 plus  
9 three?

10 COMMISSIONER DiGUILIO: Correct. I'm sorry,  
11 yes. Those would be for the baseline for the regional  
12 approach ones, and I would like to add that there would  
13 be at least three more meetings for the state, at the  
14 statewide level for each phase.

15 COMMISSIONER GALAMBOS MALLOY: Thank you.

16 COMMISSIONER BLANCO: I guess I'm not sure how  
17 to do this in terms of planning dates, which is what  
18 people want to start doing, but I'm a little concerned  
19 with locking us into 36 as a cap.

20 COMMISSIONER DiGUILIO: I'm sorry, that would  
21 be the starting point.

22 COMMISSIONER BLANCO: I just want to clarify  
23 that, because I think it's possible that one region will  
24 need a lot, to go back twice or -- you know. So I want  
25 to just clarify that it's not a cap.

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1                   COMMISSIONER DIGUILIO: It's the bottom.

2                   COMMISSIONER GALAMBOS MALLOY: I suggest a bio  
3 break.

4                   CHAIRMAN WARD: Absolutely. Let's keep it to  
5 five minutes and we'll re-adjourn in five minutes.

6                   (Recess from 3:37 p.m. to 3:52 p.m.)

7                   CHAIRMAN WARD: Okay, let's go ahead and get  
8 back in session. We missed five minutes by a few  
9 seconds, but we're back. We're going to go ahead and go  
10 back to Commissioner DiGuilio and pick up where we left  
11 off.

12                  COMMISSIONER DIGUILIO: Commissioner Ward was  
13 trying to remind me. I think we were in the discussion  
14 phase of setting the minimum number of public input  
15 hearings at 27, at least having the minimum number being  
16 set at 27, having a schedule for 27 and 36, knowing that  
17 we can build on that later. Is that where we left off?  
18 Did we have a motion on that?

19                  CHAIRMAN WARD: We had a motion on that. Do  
20 we have a second?

21                  COMMISSIONER BARABBA: Yes, second.

22                  CHAIRMAN WARD: Second, we do. Okay.

23                         Anything from the panel before we open it  
24 to the public?

25                         At this point I'd like to open the

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1 microphone to the public for specific comments on the  
2 motion at hand.

3                   Seeing no one approaching the microphone,  
4 let's go ahead and take the vote. All in favor raise  
5 your hand and say "yes."

6                   COMMISSION MEMBERS: Yes.

7                   CHAIRMAN WARD: All opposed.

8                   Any abstentions?

9                   Okay, so moved.

10                  Thank you, Commissioner DiGuilio.

11                  COMMISSIONER DIGUILIO: At this point I'd like  
12 to -- again, the discussion has been made about -- we've  
13 been referring to consultants in the abstract, and I'd  
14 like to turn this over to maybe Mr. Claypool and  
15 Mr. Miller who may have some comments about the actual  
16 consulting of these services that we've provided.

17                  And before we move on to that I'd just  
18 like to say a big thank you to all my fellow  
19 commissioners. I know we slogged through a lot of this,  
20 and I appreciate all the paperwork that you've just been  
21 handed, and good luck in organizing it. But I  
22 appreciate all our efforts in actually getting this ball  
23 rolling and making progress, and I'm excited from the  
24 technical subcommittee and as a commissioner to really  
25 get going on this.

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1                   MR. CLAYPOOL: So in the original proposal  
2 that we talked about where we were talking about the  
3 amount of time and the way it was compressed and our  
4 need for moving more quickly, we considered that the  
5 fastest way to move was to use the interagency agreement  
6 with UC Berkeley and with CSU Sacramento and the  
7 services that could be provided by the Statewide  
8 Database and the Center for Collaborative Policy. It is  
9 the fastest route that we can go through.

10                   If we have a contract outside of those  
11 entities that's a private contract, we get into the need  
12 to consider a competitive bid for those types of  
13 services. The only way to really not consider a  
14 competitive bid is if we believe that the -- and it is  
15 an acceptable contracting procedure to say we really do  
16 not have the time to do that, and therefore we would  
17 have to go with a sole source contract for those  
18 services.

19                   At this point I think that the Commission  
20 has to start considering whether you would like us to  
21 either follow that route or whether you would like us to  
22 try to put together a scope of work as quickly as  
23 possible and let it to the public for the minimum  
24 period, which I had originally told you was ten days but  
25 was told just yesterday that DGS could do it for a

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1 shorter period of time, although I do not believe we  
2 would want to do it for a shorter period of time, and  
3 then to bring back those proposals to you and say we've  
4 matched them up and here's what they look like, and then  
5 you would decide on the basis of what the State has  
6 referred to as the lowest competitive bidder -- the  
7 lowest responsible bidder, I'm sorry.

8                   And as I was explaining to our Vice  
9 Chair, the lowest responsible bidder -- or I'm sorry, I  
10 believe it was Mr. Forbes. The lowest responsible  
11 bidder is not the person who offers to do your statewide  
12 line drawing for \$150, and there will be people who will  
13 have those low bids. It's a comparison between those  
14 people that you believe could responsibly provide the  
15 services you desire for the scope of work that you have  
16 let.

17                   Now, I believe that we would still have  
18 to have some type of interagency agreement with UC  
19 Berkeley because they have a great deal of equipment and  
20 a great deal of -- and some services that we are going  
21 to require. But if we don't work through UC Berkeley on  
22 this contract, I think it opens that avenue.

23                   And then the only other thing that I  
24 would say is then we have to look at it and decide do we  
25 have that type of time. Because the actual line drawing

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1 is a later function. You know, we can try to move this  
2 process into that compressed time and work with it. I  
3 think it provides, if we go that route, it provides us  
4 with the greatest picture of what is available and  
5 the -- and who is out there, and it gives everyone a  
6 chance to give you some perspective on what might be  
7 offered.

8 But that's the option that we have as  
9 soon as we move out. It means that we're not going  
10 into -- we're not going into the Sacramento meeting  
11 prepared immediately after to let contracts with the  
12 provision that it's subject to available funds. It's  
13 going into that knowing that we are moving forward  
14 against what we believe that cost will be, but it will  
15 be subject to letting the contract and then subject --  
16 or subject to the comparison of the bids and then  
17 subject to the contract.

18 So if I'm not clear, I'll just recap. We  
19 can stay with UC Berkeley and say no, that's the route  
20 we want to take and we're going to proceed through the  
21 regions and that's how we want to contract. B, we can  
22 say realistically do we have the time to do this and  
23 take in this bidding process and have staff do that  
24 additional work. Or, C, we go through competitive bid,  
25 make a comparison, make that presentation to you, and

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1 that's how we would let that contract. So that's for  
2 the line drawing side of it.

3 On the outreach side of it it becomes  
4 more problematic because that's a function that's going  
5 to start earlier. And I realize that Karin has also  
6 talked about having a function in that as well with the  
7 line drawers, but that's just -- line drawers being  
8 available for the presentations in some of the outreach  
9 meetings is what I'm talking about. So that's where the  
10 time compresses us to a greater extent, because that's  
11 going to come first and then we're going to go into the  
12 input meetings.

13 And really when you start thinking about  
14 it and compressing this, there's going to be a portion  
15 of the outreach meetings that we're not going to be able  
16 to control. And I had just spoken -- this is what I  
17 spoke to the Vice Chair about. And what we're not going  
18 to be able to control are meetings where people walk in  
19 and say, "I know this is outreach, I know this is  
20 education, but I want to give you this map because I'm  
21 not going to be around." We've already heard people  
22 coming in who said, just in this meeting, that, "I won't  
23 be able to come back, so if you don't want to hear my  
24 testimony I'll leave." And we don't want to be in the  
25 position of not taking testimony.

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1                   So for that purpose, whoever is going to  
2 provide that service for us has to start giving us input  
3 on how we're supposed to be taking that information, and  
4 so that becomes also a portion of the equation that we  
5 have to think about in those three options I've offered  
6 you, or those three options that I believe are available  
7 to us.

8                   CHAIRMAN WARD: What was the subcommittee's  
9 recommendation?

10                  COMMISSIONER Di GIULIO: I'm going to defer to  
11 Vince. I think you've already stated it earlier.

12                  COMMISSIONER BARABBA: We did have  
13 conversations around the subject, and I think we were  
14 all reasonably comfortable with going with the  
15 Statewide Database and using Karin in conjunction with  
16 the discussions we had with the outreach group. It  
17 looked to us like the fastest way to get started. I  
18 understand there are risks associated with it, but  
19 that's a risk I'm willing to take. Because I think  
20 timing is our biggest problem right now, not the kind of  
21 criticisms we might get for not following all the  
22 procedures correctly.

23                         And my fellow committee members could  
24 add --

25                   CHAIRMAN WARD: Commissioner Filkins Webber?

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1                   COMMISSIONER FILKINS WEBBER: I have a  
2 question, Commissioner Barabba.

3                   As I understand, Mr. Claypool, as you  
4 were mentioning it, Berkeley does have an interagency  
5 contract so we could contract with them for the  
6 Statewide Database technical consultant aspect.

7                   You're shaking your head,  
8 Commissioner Dai, so maybe I misunderstood.

9                   COMMISSIONER DAI: So if I understand this  
10 correctly, that there's potentially a facilities  
11 agreement that we would do through UC Berkeley. But, as  
12 I recall, Ms. Mac Donald proposed her services under Q2,  
13 whatever the name of her private consulting firm.

14                  COMMISSIONER FILKINS WEBBER: No, I'm only  
15 talked about the -- we're talking about possibly two or  
16 three consultants. The one consultant that you were  
17 referring to was to assist us for the technical  
18 component of line drawing, and that, as I understood,  
19 would be from Ms. Mac Donald but only in her capacity as  
20 the Statewide Database. I understand Ms. Mac Donald is  
21 here also as Q2 Data Research for the outreach and what  
22 was proposed.

23                  But maybe we just need a quick summary on  
24 the consultants that you're talking about. Because we  
25 have line drawing, we have input hearings, we have

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1 outreach, and those are consultants in various  
2 capacities. So I guess fill me in, because I'm  
3 confused.

4 MS. Mac DONALD: Okay. I'm going to try to  
5 say some things between the lines here. We've had some  
6 major issues with the Statewide Database being at UC  
7 Berkeley, and there have been some funding issues. And  
8 I think those kinds of issues, without going through the  
9 great detail of it, may actually prevent us from doing  
10 an interagency agreement with Berkeley for the  
11 line-drawing component. There are some other issues,  
12 without going into great detail of that. I can only  
13 tell you that at this point it's February of the  
14 redistricting year, and the redistricting database for  
15 the State of California, despite having a line item in  
16 the State budget, has not received funding that was  
17 given to the University of California. That is being  
18 worked out right now, but that should tell you something  
19 about how sometimes these things go at the University of  
20 California system at this point.

21 So when we're looking at line drawing and  
22 actually doing an additional contract with Berkeley, we  
23 would all be subject to, you know, labor laws and all  
24 kinds of regulations that are part of being an employee  
25 at Berkeley. And I can tell you from experience that

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1 does not mesh with the kind of work you have to do as a  
2 redistricting consultant. It would not have meshed with  
3 the kind of work that I have done for you guys in the  
4 last week, you know, like no 80-, 90-hour work weeks.  
5 That doesn't work. So there are definitely some issues  
6 that arise.

7 I think what would make a lot of sense  
8 and what really could be done, the Database has  
9 equipment that you will need, and we have licenses from  
10 Maptitude which cost a lot of money. So they will be  
11 sitting there. We have a plotter. We have the entire  
12 infrastructure. You could probably do an interagency  
13 agreement with the law school and basically just say,  
14 "Okay, we're going to contract with you guys so that we  
15 have our redistricting infrastructure set up." That  
16 would be something that would work.

17 COMMISSIONER FILKINS WEBBER: And our hired  
18 consultant would have access to that.

19 MS. Mac DONALD: Yeah. We would have to work  
20 this all out.

21 COMMISSIONER FILKINS WEBBER: Okay. Is that  
22 what you were suggesting, Mr. Barabba?

23 Okay, I'm sorry, I misunderstood. Okay,  
24 I appreciate that.

25 MS. Mac DONALD: Also let me just add

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1 something else. When you give a contract to Berkeley or  
2 to I think any university, really, then you give those  
3 funds to the university but then they're in charge of  
4 essentially determining what happens and what kind of  
5 work gets done even though you agree to a particular  
6 outline.

7                   So I mean we just had this with respect  
8 to the outreach centers, because Irvine wanted to pay a  
9 particular amount of money for the outreach center  
10 directors, and that proposal is all accepted. And then  
11 once we went through actually classifying those jobs we  
12 were told that they involved equity issues that Berkeley  
13 had to look at, so at the end we actually had to pay a  
14 different rate than what happened with Irvine. And  
15 there was quite a gap between what the funder wanted and  
16 what we ended up being able to do.

17                   So these are the kind of issues that you  
18 run into. Also contracting with the University of  
19 California is not a fast process. It goes through, you  
20 know, sponsored projects. It has to be approved.  
21 There's a lot of different layers. And, in addition,  
22 you're going to be paying for overhead. So there's a  
23 large overhead component. So in this system, or in this  
24 process where actually time and money are both at a  
25 premium, you're cheaper off not going that way as well.

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1                   COMMISSIONER DAI: So I'll just add, since  
2 Ms. Mac Donald probably had to be a little careful with  
3 her words, as someone who has had personal experience  
4 dealing with UC and with UC Berkeley, both as an  
5 employee and as a consultant, it is very difficult to  
6 get money out of the university and figure out which pot  
7 of money that -- even though it's been approved and you  
8 have budget for it, it's very hard to spend. So I will  
9 just say that.

10                  COMMISSIONER FILKINS WEBBER: So I guess my  
11 question is this, since it was raised with a discussion  
12 of consultants. I would just like clarity as to --  
13 identify the consultant for me. In other words, you  
14 have a redistricting line-drawing consultant, which  
15 you're saying now would not be with Berkeley more than  
16 likely. So I understand that. And then we're talking  
17 about the other consultants, such as CCP to assist us  
18 with outreach. And then you're also looking at possibly  
19 another consultant as presented by the technical  
20 committee for the educational input.

21                   I'd just like to summarize who these  
22 consultants are so we can determine who has interagency  
23 contracts that we would use, such as CCP, versus opening  
24 up this bid process. So I'd like to get an idea of what  
25 we're talking about in terms of scope.

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1                   MR. CLAYPOOL: I'm going to try. I want to  
2 start from the bottom and just work up so that we can  
3 see this kind of stack up. Or actually I apologize.  
4 I'm going to start from the top and move down because  
5 that's really the way it should work.

6                   We are going to need someone who can draw  
7 these lines for us and take these data and produce not  
8 only the maps but the reports that go with them. Those  
9 individuals will either have -- in this case we would  
10 have to have a second contract with Berkeley in order to  
11 obtain that equipment, or the individual who offered  
12 their services in that case would offer their own  
13 equipment. So we would have to separate out.

14                  That's why it was proposed to me that it  
15 was just very simple. Everybody knows what's supposed  
16 to be done. You get the scope of work out and you get  
17 the responses back. But it's not that clean. We have  
18 different types of components that will have to be  
19 separated out. So first the line drawers, then the  
20 equipment that needs to be let. In this case that would  
21 be with Berkeley, or possibly a line drawer would have  
22 that. Below that, our next level, if you will, is CCP,  
23 the Center for Collaborative Policy. Their function --  
24 and they're going to give you a presentation, but their  
25 function is to work with whomever is drawing your lines

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1 and supply the information, elicit the comments and the  
2 types of information that needs to go to our line  
3 drawers so that they can best do that job for you.

4 Now, at CCP, or whoever has that  
5 contract, that's how we envision them. Originally when  
6 I talked with CCP I had said, "I want it all-inclusive  
7 because we don't have that much staff. I want you to  
8 plan the venues and do everything that is needed to do  
9 those venues." They came back and said, "We really  
10 don't have the actual expertise to do the venue  
11 acquisition. We're the people who do the meetings, and  
12 so we have another entity, CCE, that would take care of  
13 that part, the actual acquisition."

14 So if we went with a private consultant  
15 to draw the lines, Berkeley, CCP and CCE, we're talking  
16 about putting four contracts into place. The only  
17 contract in there that has to be considered outside of  
18 the realm of interagency agreement is the private  
19 consultancy that Karin has spoken to. All the rest of  
20 those entities are within the state framework and  
21 covered by Government Code where it says if the  
22 government has this service and they can provide a  
23 reasonable service to you, then you should use it  
24 because that's just an efficient way to do business. So  
25 that's -- those are the contracts. Three can go

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1 interagency; one has to be considered under this  
2 alternate mode.

3 COMMISSIONER FILKINS WEBBER: Thank you very  
4 much, and I apologize if everybody else was up to speed  
5 on that, but it definitely provided clarity. Thank you.

6 COMMISSIONER ANCHETA: Question. Assuming we  
7 do have to go to at least one contract outside of the  
8 interagency mode, you said that we can avoid the  
9 competitive bid process if there's sort of a temporal  
10 urgency to it, which we sort of feel. But what are sort  
11 of the limits to that in saying it's really too little  
12 time to do a competitive bid, and are we close to that  
13 at this point?

14 MR. CLAYPOOL: So we never want to avoid the  
15 competitive bid if we're going into the private contract  
16 arena, but there are circumstances where -- I now give  
17 you a great example of that. When LA -- I believe that  
18 when LA had the freeway that collapsed, I believe they  
19 went on a sole source contract, Caltrans, because they  
20 needed a freeway. So they said, "We don't have time to  
21 add the time that's necessary to get this job done, so  
22 we're going to go to a contractor we know can get the  
23 job done," and they structured the contract in that way.

24 When you have a compressed timeframe like  
25 this it allows you to make that consideration and say,

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1 in our minds, we have to get going on this with  
2 enough -- in order to finish within the timeframe, and  
3 ours is August 15th. Are we close to being at that  
4 time? If we make this decision to go to a competitive  
5 bid, I mean staff starts out on Sunday. I mean we have  
6 to start putting together the scope of work that we  
7 would request from these bidders. We have to work  
8 through whichever subcommittee -- I'm assuming this  
9 would be probably both the technical committee and the  
10 finance committee -- to say this is what we're asking  
11 for. Take a look at it. Give us your edits. And we  
12 have to be very, very careful.

13 And, again, I'm going to go back to this,  
14 because this isn't a process that we can just roll out  
15 and everybody is going to give us the same bid. And  
16 I'll give you one example of that. When we did the  
17 original competitive bid at the Bureau of State Audits  
18 for the contractor for our public relations, we worked  
19 for about a week, week and a half, and we thought that  
20 we had a very, very tight scope of work, and we sent it  
21 out, and it just came back all over the boards. I mean  
22 we really couldn't make a basis of comparison because we  
23 hadn't been careful enough in structuring how  
24 individuals should give us back their information. So  
25 we had people who were giving us an hourly rate, people

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1 who were giving us the big picture. It was a mess. So  
2 we had to relet that RFP to make sure that we got groups  
3 that we could compare. Now, in that case, you know, the  
4 second time it came out Ogilvy International was a clear  
5 winner, and by a good comparison.

6 But that's the danger of going too  
7 quickly on letting that contract. And I'll just give  
8 you give you the adage: You never have enough time to  
9 do it the first time but you've always got enough time  
10 to do it the second. Well, we don't. So we have to  
11 make sure that the first time we let this, that if we  
12 went that route, that we got it back.

13 Adding that in, can we go out to RFP and  
14 get it back in time? It would be close. It would be  
15 close, but I think that there is that possibility. And  
16 so I would say that that might, for the purposes of  
17 this, that might be the clearest route to go.

18 Now, let me step back on the outreach  
19 function. Because that's first in the line of what  
20 we're doing, I have a real hard time thinking that we  
21 can go out to outreach and still meet your March  
22 schedule of setting in place meetings and so forth for  
23 people to -- and have the information in place and the  
24 types of things that we need in order to start eliciting  
25 information. But part of the information that we were

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1 talking about getting, even then, would be some of that  
2 input information that would be going to our line  
3 drawer. So that's where these two plans kind of mesh  
4 over.

5 COMMISSIONER FILKINS WEBBER: I have a  
6 question. If you don't feel that we have enough time,  
7 counsel, Mr. Miller, would you agree that if we had to  
8 consider moving forward on a contract it would be  
9 permissible, given the limitation that we have in time  
10 and what Mr. Claypool has just described, for us to move  
11 forward on the educational schedule and the workshop  
12 schedule and the hearing schedule?

13 MR. MILLER: I think -- I don't believe I can  
14 make a better judgment or add to the wisdom of the  
15 Commission on the issue of whether there's enough time  
16 to do a competitive bid or not. I do feel that the  
17 decision about drawing the lines together with the  
18 decision about who the Voting Rights counsel is are the  
19 two critical building blocks to the success of the  
20 overall project.

21 COMMISSIONER BARABBA: Commissioner Ward? It  
22 seems to me that I was under the impression that we  
23 wanted to get a contract let at the next meeting, which  
24 was going to be sometime around February 22nd. And in  
25 fact that is on our agenda, to get that accomplished.

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1 And it sounds to me like I don't think we can go to a  
2 competitive bid and get that ready for the 22nd.

3 MR. CLAYPOOL: What we were intending to come  
4 out with -- and I'm going to move back just to make sure  
5 that we're clear, that we would come out of here with  
6 the structure to make the cost estimates that we need to  
7 make, that we would then go into the 27th and say if we  
8 put all these services in at these costs, that that's  
9 how much it would cost. And then we would go to the  
10 Department of Finance for the release of the million and  
11 for additional funds as necessary.

12 The contracts that we're talking about  
13 for the line drawing would occur after that point. And  
14 no matter what contracts we put into place, they are all  
15 going to be subject to available funds. They're going  
16 to be subject to if we don't get the money we need to  
17 move back. So I'm saying that those contracts will be  
18 put into place after we have your approval as to the  
19 budgetary amount that we're talking about.

20 If you come back and say, "No, we don't  
21 want to ask for that much," then we have to step back  
22 and say, "Well, what do we cut out of this in order to  
23 have the plan that fits the amount of money you want to  
24 spend." But it's always been my assumption that we  
25 would go into that knowing that these were the estimates

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1 we had and that we would start looking for the money and  
2 letting the contracts after that.

3 COMMISSIONER BARABBA: I guess the question is  
4 how do you get the estimates if you don't have the  
5 person in mind?

6 MR. CLAYPOOL: A case in point I'm assuming  
7 would be IT specialists. We're going to get -- we're  
8 going to go out and cost out what a reasonable cost for  
9 our webmaster is going to be, for instance, and we're  
10 going to come back to you and say, "This is how much  
11 that we've been quoted would be the reasonable price for  
12 a webmaster, and so this is what we're going to put in  
13 the budget," and then that's what we're going to  
14 contract for. So we're going to look for estimates that  
15 way, but we're not necessarily going to put contracts in  
16 place if we can't pay for them.

17 COMMISSIONER BARABBA: Would you be able to do  
18 that for the persons who are going to draw the lines?

19 MR. CLAYPOOL: Well, one of two ways. We  
20 either say we're going to go with this person, because  
21 we have this compressed timeframe and they gave us their  
22 estimate, or we go to a request for proposal, and we're  
23 there. I mean but those are the two ways that we can  
24 come up with that number. But even then you have to  
25 remember that whatever number they give us isn't a

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1 contract; it's subject to available funds.

2 COMMISSIONER YAO: We're on the topic of  
3 outreach at this point in time, and if I was going to  
4 take a look at the total picture I would say our clear  
5 responsibility is drawing the lines, okay, with or  
6 without input, because I have to have the lines ready on  
7 the date that we promised to deliver the lines. But  
8 we'd like to do as much outreach as possible in order to  
9 draw the good line, okay.

10 But yet you're asking us to approve the  
11 budget for the outreach without -- at least I don't have  
12 any feel as to how much money is -- should be spent for  
13 the drawing the line and how much money should be spent  
14 on the outreach. You're going to come back and you're  
15 saying, "I'm going to tell you how much it will cost,"  
16 but I'm still having a little difficulty in terms of can  
17 we afford it.

18 I know that we can assume at this point  
19 in time we got three and a half million dollars left,  
20 okay, and we already made commitment on spending so much  
21 money on the staffing. That much we pretty much  
22 committed already, and we agree with you that we have to  
23 spend that amount of money. But in order to approve  
24 proceeding with any other expenditure, including the  
25 outreach, we know we have to make that commitment. We

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1 know that we have to do it right now.

2 But help me to understand this. How can  
3 we approve, whether it's a sole source or whether it's a  
4 competitive bid or anything else, without having some  
5 guidance or limitation as to what we're approving?  
6 Because one thing I can't do is I can't give you a blank  
7 check and say go and make the outreach happen.

8 MR. CLAYPOOL: So to go back and to say,  
9 again, we're going to come out of this meeting, or this  
10 session with the structure that you believe you want to  
11 move forward with, and then we're going to move forward  
12 into the September -- or I'm sorry. I'm looking way  
13 past. We're going to move into the second half of this  
14 month's agenda in Sacramento where we're going to say,  
15 "This is what you said you want. If we get approval for  
16 this amount of money, this is what we're going to move  
17 forward with." We need that structure in order to be  
18 able to go to the Department of Finance and say this is  
19 how much this proposal costs, and clearly we need the  
20 release of the million dollars and we need the  
21 additional funds for this -- for the rest of it. It's  
22 the mechanism by which we ask for the funding.

23 And when we get the funding, then if we  
24 get the full amount we can put this -- we can put this  
25 entire plan into play. If, however, the legislature

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1 says, "No, there's no available funding," then we say,  
2 "Okay, but will you release the million?" And they say,  
3 "Sure." Well, now we know we have a three and a  
4 half million budget and we have to scale back whatever  
5 our plan is to fit that amount of money. If the  
6 Department of Finance says, "No, we won't give you  
7 the million either," then we have to scale back to fit  
8 everything we're going to do in a two and a half million  
9 budget or whatever it is.

10 But the point here is that we have to go  
11 to them with what we want and what we believe we need in  
12 order to implement this the way the Commission believes  
13 it should be, and then have them either tell us yes or  
14 no. So we're not -- all we're doing is saying in  
15 Sacramento, "This is what we believe we should have.  
16 This is what we want you to fund. What will you give  
17 us?"

18 COMMISSIONER Di GUILIO: Can I try and untangle  
19 this issue just a little bit here. It seems like what  
20 we need to vote on -- we have the issue. What we're  
21 discussing is the type of contracts we're going to be  
22 having. There are four types of consultants we're  
23 looking at. Three of those, we have an avenue for  
24 contracting with them. The fourth one is to do the  
25 actual -- with the line drawer. And I think, based on

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1 all the information that we've received, the training  
2 we've done with Karin Mac Donald, that it would be in  
3 our best interest to enter into a contract.

4 I'm suggesting to the Commission that we  
5 enter into a contract with Karin, and because of our  
6 compressed timeframe that we look at the option of doing  
7 the sole source provider. If we do that, in trying to  
8 address Commissioner Yao's concern, we are not -- it's  
9 my understanding we would not be writing a blank check.  
10 We would simply be authorizing the entering into a  
11 contract with Karin.

12 And, as a Commission, that means the risk  
13 we are accepting is not a blank check risk. The risk  
14 we're accepting is that Karin would then come to us with  
15 a reasonable budget and proposal in relationship to the  
16 parameters that we've discussed for the educational  
17 meetings and the input meetings, and that if we did not  
18 like and we did not accept elements or the complete  
19 budget that we would accept the risk that Karin could  
20 adjust that to an acceptable budgetary limit for what we  
21 need.

22 So, again, we're not committing to any  
23 amount. We're simply committing to engaging in a  
24 contract as a sole source provider with Karin so that we  
25 can then later on make a determination about the budget.

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1 But the risk we have to assume is that Karin is  
2 professional, is competent in this area, and can provide  
3 us with what we need.

4 Can I just say that's a motion?

5 COMMISSIONER FILKINS WEBBER: Second.

6 CHAIRMAN WARD: Any discussion from the panel  
7 on that motion?

8 COMMISSIONER BLANCO: Commissioner Ward, after  
9 yesterday's experience I will be recusing myself from  
10 this vote because I am familiar with Karin Mac Donald,  
11 have known her for a very long time, both professionally  
12 and personally, so I'll be recusing myself from this  
13 vote.

14 CHAIRMAN WARD: Thank you,  
15 Commissioner Blanco.

16 COMMISSIONER PARVENU: I just wanted to  
17 comment on Commissioner DiGuilio's comment, that that's  
18 the concurrence that we had on the technical advisory  
19 subcommittee, and I think Commissioner Barabba concurs  
20 and also Commissioner Aguirre.

21 CHAIRMAN WARD: Commissioner Blanco, did you  
22 hit that again or is it still on?

23 If there's no further comment I'm going  
24 to open up the public microphone. Comments will be  
25 accepted strictly on the motion at hand.

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1                   AUDIENCE MEMBER: Good afternoon. Deanna  
2   Ki tamura with the Asi an Paci fi c Ameri can Legal Center.  
3   Regardless of the process, I just want to say that I'm  
4   concerned with any delay in getting the map drawer on  
5   board. We have two in-house demographers in our office,  
6   and they have been working on maps regarding the  
7   Asi an-Ameri can/Paci fi c Isl ander communi ties of interest  
8   since the beginning of this year. And that's just  
9   focused on the API communi ty.

10                   In March you're likely to start getting a  
11   lot of input from a lot of people, even in the  
12   educational meetings, as you guys were expressing, and  
13   you need to have the mapper on board in March to be able  
14   to start doing the work on the maps, and also to be able  
15   to start inputting the data that you receive from the  
16   public into the Statewide Database.

17                   Thank you.

18                   CHAIRMAN WARD: Thank you.

19                   AUDIENCE MEMBER: Hi. Again, Douglas Johnson  
20   from the Rose Institute.

21                   Let me do one thing, first strenuously  
22   object to the motion and ask you to vote no on this,  
23   and, second, offer an alternative idea. Rather than  
24   going with a sole source no bid to a for-profit private  
25   company, which is the motion you're making today, let me

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1 suggest that you simply put out a notice in an hour  
2 saying this is what Prop 11 tells us to do in the  
3 technical line-drawing side. Just pull language right  
4 out of there. Anyone interested please give us -- and  
5 you can do it two ways -- an official proposal or just a  
6 ballpark informational item.

7 And I can tell you -- because I know the  
8 Rose Institute will do this and I know all the  
9 professionals in this field can do it very easily -- at  
10 your Sacramento meeting you'll have those in hand. You  
11 can have very detailed proposals or you can have  
12 ballpark proposals simply by asking for them. There's  
13 no need to make a decision now on a sole source or  
14 anything.

15 The same thing for the Voting Rights  
16 lawyers. If you simply put out a request right now  
17 saying that this is what Prop 11 says we need, give us  
18 your proposals, you could have those in hand with dollar  
19 figures, with proposed scope of work. Obviously it  
20 would be a menu. You guys would need to go through and  
21 choose what you actually want to do.

22 But if you simply made that motion now  
23 saying let's put out a notice saying this is what  
24 Prop 11 expects us to do, please come to Sacramento with  
25 those proposals, you'll get them. And you'll get a lot

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1 of them. And that will give you a nice broad field.

2 I mean, Commissioner Forbes, you  
3 mentioned earlier about how no one had given you  
4 alternative outreach plans. It's because you haven't  
5 asked. So I would encourage you now to ask and put out  
6 this notice to anyone who wants to provide you  
7 information, not just to one party.

8 Thank you very much.

9 CHAIRMAN WARD: Thank you.

10 Any additional panel discussion on this  
11 motion?

12 Commissioner Raya?

13 COMMISSIONER RAYA: I just want to hear the  
14 whole thing again, please, if I may.

15 COMMISSIONER DIGUILIO: My explanations behind  
16 it as well?

17 COMMISSIONER RAYA: No, just the motion.

18 COMMISSIONER DIGUILIO: The motion is, because  
19 of our compressed timeframe, to enter into a sole source  
20 contract with Karin Mac Donald for the line drawing and  
21 technical aspects of the Commission.

22 COMMISSIONER FILKINS WEBBER: More  
23 specifically, when you say "Karin Mac Donald," you mean  
24 Q2 Data Research?

25 COMMISSIONER DIGUILIO: Maybe I should get

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1 clarification from Karin that that's how you'd like it  
2 to be referred to.

3 Okay, Q2 Data Research.

4 CHAIRMAN WARD: Public comment had closed for  
5 this item, but I'm happy to hear you anyway, sir, if  
6 you'd like to step up.

7 AUDIENCE MEMBER: I'm Bill Robinson from the  
8 Upper San Gabriel Valley Municipal Water District.  
9 We're going to be going through an internal  
10 redistricting process ourselves.

11 I just wanted to underline the previous  
12 gentleman's comments. I think if you want to save money  
13 potentially and work creatively on the problem I think  
14 you open yourself to a wide scope of possibilities if  
15 you, instead of sole source, if you just put out a  
16 general proposal. As long as it's put into publications  
17 that have a wide distribution, I'm sure you'll have a  
18 good response.

19 So I just wanted to underline the  
20 previous gentleman's objection.

21 CHAIRMAN WARD: Thank you, sir.

22 Mr. Claypool?

23 MR. CLAYPOOL: The only caveat I would say to  
24 what was discussed is that I wouldn't be comfortable  
25 sending out a message in an hour saying bring me your

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1 proposal. That's all. I believe, again, and I'm going  
2 to say it again, you have to have some basis by which  
3 you can make these comparisons. Otherwise we're going  
4 to get mired into the process of people giving us  
5 proposals that will be either very hard or almost  
6 impossible to make a comparison between. That's just  
7 been my experience. I've never asked for a line drawer  
8 proposal but I just don't believe that without having  
9 structure to that process that we can get something  
10 that's easily comparable. But perhaps there's a  
11 different opinion.

12 CHAIRMAN WARD: Commissioner Forbes?

13 COMMISSIONER FORBES: Yes, I appreciate the  
14 comment about the desirability of additional proposals,  
15 and I think if we had time that may be a factor. But  
16 for me personally, I've had an opportunity to observe  
17 Karin's work for the last three months, and I balance  
18 the confidence that that observation has given me  
19 relative to our timeline. I'm comfortable with the  
20 motion.

21 COMMISSIONER DAI: I just wanted to add that I  
22 think that consideration of a sole source contract is  
23 actually -- it's a serious matter. It would potentially  
24 open the Commission up to criticism. I think it's a  
25 fair comment by Mr. Johnson that we haven't asked. We

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1 only asked for a quick, one consultant on this.  
2 However, I also understand Mr. Claypool's concern. You  
3 know, it's not reasonable to put something vague out.  
4 Normally there's a request for proposal and it has some  
5 structure to it.

6 So if we were going to do that we would  
7 have to ask for line drawings within the context of the  
8 motions that we've already approved, which is a  
9 nine-region approach with 27 to 36 meetings. I mean  
10 that's the structure that would have to go out in that  
11 so the proposals would be comparable.

12 So I guess the question I would have for  
13 the Commission is do we feel that that's specific  
14 enough. Because we have approved to pay Ms. MacDonald  
15 for her work so far in developing this approach, which  
16 we have approved, and the question is do we want to open  
17 it up to other people to implement that approach.

18 CHAIRMAN WARD: Commissioner Ancheta?

19 COMMISSIONER ANCHETA: Yes, I have some  
20 discomfort with moving ahead with this motion, although  
21 I share the other commissioners' sense of urgency. And  
22 this is not a reflection at all on Karin's work, either.  
23 It's just that the number of line-drawing contractors is  
24 pretty small, actually. And I'm really torn on this,  
25 because there are a number of very competent and very

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1 experienced contractors out there, but it is a small  
2 number. And I don't know that all of the issues that  
3 Mr. Claypool has raised will necessarily come up, but  
4 it's a very tight timeline.

5 So I'm really not very sure how I want to  
6 vote on this one. But it seems to me that the data that  
7 will be input into the Statewide Database is not  
8 available until mid-April, in terms of usable form, and  
9 I don't know if that's a workable timeline. But I'd  
10 inject that into the discussion because I think that's  
11 sort of the drop-dead deadline to have the map drawer  
12 online.

13 Now, having said that, we do need to have  
14 guidance from somebody, whether it's Karin or some  
15 contractor, on the data we need to solicit and the  
16 information that we need to provide to the public in  
17 these initial educational and input meetings. Because  
18 the map drawer needs to say to us, "Well, this is what  
19 we need to draw the lines. Here's what you have to tell  
20 the public to produce at these -- to be trained on and  
21 so provide input at the public input meetings."

22 Again, I'm not really sure how I'm going  
23 to vote on this one again, but I think that timeline has  
24 to be explored more critically because I'm not  
25 comfortable at this point really going with a single

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1 source.

2 COMMISSIONER FILKINS WEBBER: But if I'm --  
3 and correct me if I'm wrong, that the motion as  
4 presented was a sole source contract for Q2 for the  
5 educational workshops and the input. What we're  
6 actually getting also from Ms. Mac Donald I think  
7 touches your point. But I don't think this proposal is  
8 consideration of a line drawer or having her be an  
9 expert for a line drawer, even though I see your point,  
10 Commissioner Ancheta, but I think capitalizing on  
11 Ms. Mac Donald's expertise somewhat in that regard. But  
12 it was my understanding the motion was limited at this  
13 point for sole source for the educational workshops and  
14 the input and not the line drawer.

15 Or yes, the line drawer?

16 COMMISSIONER Di GUILIO: I suppose -- I was  
17 under the assumption that it would include line drawing  
18 because of her technical skills. If that's a point of  
19 the discussion, that you would like to separate those  
20 out, I suppose we can have that form of discussion. But  
21 originally I assumed it would be for her technical  
22 skills in relationship to the educational workshops and  
23 the input hearings, as well as her line-drawing skills.  
24 I'm not sure. Maybe she could address this, if those  
25 can be separated in the sense that if you're doing the

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1     line drawing...

2                   MS. Mac DONALD: I think it becomes more  
3 expensive as you start pulling these components apart.  
4 Because initially I mean even the approach -- and I  
5 think you're going to probably hear the same from the  
6 outreach consultants as well.

7                   I mean if you can plan for a larger  
8 project, then you just approach things differently. You  
9 approach them with an eye to, you know, figuring out  
10 particular regions so that they can be, you know, mapped  
11 in a certain way. You figure out which mappers to  
12 assign to what area, how things interact. It becomes  
13 more expensive. Could it be done? I suppose it could  
14 be done. It's probably going to take a little longer.

15                   I'd like to echo the comment from APALC.  
16 While you -- and commenting on what you just said about  
17 the deadline and the availability of the  
18 Statewide Database in its complete format. You can  
19 start drawing; you just cannot start drawing any  
20 districts with Voting Rights Act concerns. So basically  
21 Section 5 counties and then anything Section 2, you  
22 would have to wait until you have the entire data set  
23 together. But there are of course a lot of areas where  
24 that's not going to be an issue, so some of that could  
25 already be done, maybe in the north or so, if you work

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1 through that.

2 So, you know, scheduling is going to be  
3 affected as well as I think cost. Could it be done? It  
4 could be. It's just it becomes a little more messy, you  
5 know.

6 Does that answer the question?

7 COMMISSIONER Di GUILIO: And I think part of  
8 that aspect within these meetings that we're proposing,  
9 particularly the public input hearings in phase two,  
10 would be the actual line drawing that's going to take  
11 place in those meetings. So it would be the technical  
12 consulting but the actual beginning of line drawing.

13 MS. Mac DONALD: May I actually clarify  
14 something? Somebody said this earlier. These nine  
15 regions for the hearings, they're not meant to in any  
16 way suggest that these are communities of interest or  
17 that they're going to be in any way used as line  
18 modules, for lack of better terminology. These really  
19 are just units in which you can organize yourselves so  
20 you can get input. Because I think that's the most  
21 pressing issue right now. So let's just make sure we're  
22 not looking at this as some sort of a suggestion that  
23 there might be a line there or anything should be  
24 happening there.

25 CHAIRMAN WARD: We have a motion on the floor.

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1 Is there any other discussion regarding that motion at  
2 this moment?

3 COMMISSIONER FILKINS WEBBER: Yes. If I have  
4 the correct understanding of the motion, which would be  
5 a sole source contract to Q2 for line drawing and  
6 everything else that's been presented by Ms. MacDonald  
7 for educational workshops and input, then now that I  
8 have an accurate understanding clarified by the  
9 subcommittee I am troubled by the sole source contract  
10 as well. I was understanding that we were splitting it  
11 up.

12 I think, based on the timeline that we do  
13 have here in looking at the calendar, even if we could  
14 get something out, I think obviously it would have to be  
15 within the parameters of what we've already discussed,  
16 as Commissioner Dai has said, and that might be  
17 something we can put together.

18 And, Mr. Claypool, I certainly understand  
19 what you're saying, but if we put together a proposal  
20 based on what we've passed today, I'm afraid I would  
21 have to agree that we would have to consider putting  
22 that out there for bid given that this contract is a  
23 little broader than what my understanding was initially.  
24 And I don't know if it has to be ten days, as you had  
25 suggested. We could even shorten it a little more. And

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1 we might be able to have proposals for consideration by  
2 our meeting in Sacramento.

3 And that's just the further discussion I  
4 have on that. Thank you.

5 CHAIRMAN WARD: Any other comment from the  
6 Commission?

7 Commissioner Aguirre?

8 COMMISSIONER AGUIRRE: Yes. We had a comment  
9 by Commissioner DiGuilio that if there was a need to  
10 separate the line drawing out that perhaps we could  
11 consider the first part. Am I correct in that?

12 COMMISSIONER DIGUILIO: I think I just was  
13 addressing -- I guess logistically I wasn't sure if I  
14 could amend the proposal to do that, to separate those  
15 out, if that would address commissioners' concerns, or  
16 if we just stick with the original proposal which I  
17 understood to be the inclusion of all those elements.

18 CHAIRMAN WARD: The current motion on the  
19 floor is all-encompassing.

20 COMMISSIONER FILKINS WEBBER: Just on that  
21 point, Commissioner Aguirre, I think Ms. MacDonald  
22 makes a point, that if we do start breaking it out it's  
23 going to get a second.

24 CHAIRMAN WARD: As a point of order can I  
25 verify did the original motion have a second?

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1 COMMISSION MEMBER: Yes.

2 CHAIRMAN WARD: Okay. Commissioner Dai?

3 COMMISSIONER DAI: I guess my question is,  
4 given that we don't have a number yet so we don't really  
5 have a full proposal yet, I wonder what it would hurt to  
6 put out a request for a proposal and stipulate that it  
7 has to be ready in time for our Sacramento meeting so  
8 that we have a couple options to consider.

9 CHAIRMAN WARD: Mr. Claypool?

10 MR. CLAYPOOL: We have, between now and our  
11 Sacramento meeting, to start, we have twelve days, so  
12 we're going to need some period of time in order to  
13 structure the scope of work. I'm assuming that you're  
14 going to want to have some input in that. What I would  
15 suggest is, if we go to an RFP, that we just consider  
16 that we notice a special meeting to make that  
17 consideration beyond our Sacramento meeting.

18 Because I don't know that we're -- you're  
19 going to have to consider these options together, and I  
20 can't guarantee you, one, that we will get a special  
21 dispensation below ten days, which is the time, and,  
22 two, that we can get you the scope of work that we need  
23 to have and then get it back and put it in place in the  
24 format that's required for consideration. It's just  
25 it's a very tight compression of a process that I

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1 still -- I'm very uncomfortable simply letting it go  
2 with, "Read Prop 11 and send me a proposal." I just  
3 cannot believe that we will get comparable proposals  
4 that way.

5                   So if we did that I would just propose  
6 that beyond the Sacramento meeting we notice just a  
7 one-day meeting, if for nothing else similar to the one  
8 we are noticing for the legal subcommittee. Perhaps  
9 that should be the vehicle, that we have that meeting  
10 encompass the results of the requests as well as a  
11 breakout for the legal subcommittee. But that's what I  
12 would be more comfortable with.

13                  COMMISSIONER DiGUILIO: Can I just say that I  
14 think there's a couple issues that the commissioners  
15 need to take into consideration regarding this. And I  
16 don't want to sound like it's a strong arm, but I do  
17 think there are implications if we put this off, the  
18 first being the February 26 educational workshop. If we  
19 do not have the technical expertise I don't see how we  
20 could undertake that. So if we're going to wait for  
21 that technical expertise, that will push our educational  
22 workshops -- if we do educational workshops it will push  
23 it off, or if we look at it as a statewide input.

24                  Secondly, I think the point -- as  
25 commissioners we also need to consider that if,

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1 according to Mr. Claypool, we go the route of an RFP,  
2 request for proposal, we run the risk -- we have to  
3 understand that we're running the risk that it will be  
4 kicked back to us. We might not be able to get it in  
5 the ten-day deadline. Even once we get those proposals  
6 it may be hard to mesh them up to compare apples to  
7 apples. If we accept that risk, then I say we can move  
8 forward. But I think the Commission needs to understand  
9 that we may not even reach the February 26th deadline  
10 with this in terms of even getting an RFP out. We're  
11 kind of choosing between two not very optimal choices  
12 here, but something's going to have to give. We have to  
13 decide what our opportunity cost is here in order to get  
14 the biggest benefit.

15 CHAIRMAN WARD: Just to make a general  
16 statement, Karin Mac Donald was a paid consultant for  
17 the Commission, so we've consulted her on this  
18 presentation. We'll open it up for public comment very  
19 shortly so we can certainly get all feedback.

20 AUDIENCE MEMBER: I think I can save you a lot  
21 of time.

22 CHAIRMAN WARD: We'll get there.

23 I want to ask Mr. Claypool if he can just  
24 give us a real brief idea of the time impact either way.  
25 I just heard a statement that said that we would not be

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1 able to move forward with getting educational workshop  
2 proposals and things like that.

3 MR. CLAYPOOL: Two points of clarity that I  
4 think we need to have. The proposed workshop on the  
5 26th and 27th was proposed to us by the Center For  
6 Collaborative Policy as a very good venue for having  
7 statewide groups like Common Cause and so forth come and  
8 give you input on what is being done, you know, out  
9 there in California as far as reaching out to  
10 individuals. So in that regard I'm going to call it a  
11 very safe venue. You may receive some public input  
12 there, but we will be -- you know, we're going to be  
13 videotaping it, and so we can direct whoever does this  
14 function to us that there was some input in there that  
15 they need to consider. But I don't think that that  
16 particular type of presentation is in danger of us  
17 losing some input. That would be that.

18 The second thing is, can we get an RFP  
19 out ahead of that meeting? Yes, absolutely we can do  
20 that. I'm not concerned about getting an RFP out, but  
21 my concern is that the comment was made to send it out  
22 today. And I just -- I don't have that level of comfort  
23 with this. If we're going to get summary proposals  
24 back, as Commissioner Dai said, we already have agreed  
25 on what we want, so we have to structure that into the

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1 proposal and send it out and allow individuals to take  
2 that into consideration as a structure in what they're  
3 going to send back to us. We also have to the structure  
4 that RFP so that we tell individuals, "If you are going  
5 to provide your own equipment, your own service, that  
6 has to be separated." The thing we're going to go to  
7 Berkeley for, in addition to Karin's services, we have  
8 to separate that out, so, again, we're making a fair  
9 comparison on what we're getting for what we're  
10 proposing.

11                   So the only reason I'm proposing that we  
12 make a full session out of the legal subcommittee  
13 meeting is because I don't know that we can get  
14 everything back and everything compared by the  
15 Sacramento meeting. If we got it back and we got a  
16 comparison and we were prepared to make that  
17 presentation at the Sacramento meeting, then I would say  
18 we will make that presentation. We will come to you and  
19 say this is a comparison; this is what it looks like.  
20 And then you can make that statement. I just cannot  
21 guarantee you that we will get it back in that timeframe  
22 because I don't know what the Department of General  
23 Services is going to say about giving us a dispensation  
24 in less than ten days. That's my issue.

25                   CHAIRMAN WARD: Commissioner Yao?

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1                   COMMISSIONER YAO: I know we're putting a lot  
2 of pressure on you. And, sitting in this seat, not  
3 having options to choose from is really not making any  
4 decisions. Listening to you telling us that this is the  
5 only way we can go, whatever decision I make is going to  
6 be very arbitrary. Either I support you or I don't  
7 support you. What I'm asking is, can we continue  
8 working with Karin and support the outreach program  
9 without losing schedule and pursue the competitive  
10 contract on the map drawing?

11                  COMMISSIONER DIGUILIO: I believe if we go  
12 that route, at the very least -- I know she's far  
13 exceeded the original hours that we allocated to her, so  
14 we'd have to address that issue.

15                  COMMISSIONER YAO: Yeah, I'm sure she  
16 definitely would have an opinion on this, because what  
17 I'm asking is probably beyond what we talked about in  
18 past decisions. But the question for Mr. Claypool is,  
19 do we have that option?

20                  MR. CLAYPOOL: You heard from the one speaker  
21 that you need to have these line drawers in place in  
22 March. So we are absolutely talking about exceeding  
23 that schedule for those types of services. You heard  
24 Karin say that we need to have -- it can get messy if we  
25 try to separate these out and bring somebody else on

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1 board. So all of these things are addressing exactly  
2 what you're talking about.

3 Do we have time to go with a competitive  
4 bid? We looked at the timeline and we can say, sure, if  
5 we're looking at not getting this data back until a  
6 certain time period for the census data, then this  
7 process will fit into that segment. But, yeah, we will  
8 be eating up some portion of time that might be better  
9 spent if we had somebody in place. But, again, it's a  
10 matter of the risk that we wish to assume. So I'm  
11 saying we have to weigh this as a Commission, and I have  
12 to get my direction from you as to how much risk you  
13 wish to assume in this process.

14 COMMISSIONER FILKINS WEBBER: I have one other  
15 question. One of the concerns that you had,  
16 Mr. Claypool, is that you may not get the special  
17 dispensation for less than the ten days. My question  
18 is, could you put in a request of DGS for the special  
19 dispensation without having put together the full  
20 proposal, or the request for the bids? Could you put in  
21 a request and then they could do it quickly to say,  
22 "Yes, you can do this in a short amount of time." Or do  
23 they require the request for special dispensation along  
24 with your actual proposal or solicitation for bids?

25 MR. CLAYPOOL: I've never let one that way so

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1 I can't tell you how they'll respond. But what I will  
2 say is this. I believe that the Department of General  
3 Services would rather consider a request for a special  
4 dispensation in order to accommodate a competitive bid  
5 than to have to consider a sole source contract.  
6 Because they always wish to have that process in order  
7 to ensure that we have a fair process.

8 I'm going back to my address to  
9 Commissioner Yao. I can't tell you how far this will  
10 impact us. I can only say that I believe that if we go  
11 that route we might get a favorable dispensation. But I  
12 can't make that guarantee, and that's why I'm asking for  
13 the extension of the full Commission meeting in case we  
14 don't meet it. It allows us to notice it, and basically  
15 it gives us a one-week extension to take care of any  
16 business that comes up that we couldn't account for.  
17 That's all.

18 COMMISSIONER YAO: Give me a ballpark number,  
19 the dollar amount that we're talking about. Is it  
20 \$100,000? Is it a million dollars? What is it that  
21 we're talking about? Because going on a sole source  
22 contract on dollars that's unspecified, that's part of  
23 my uncomfortable position.

24 MR. CLAYPOOL: I would suggest that perhaps  
25 you have two individuals here who might be able to give

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1 you that ballpark figure. But, Commissioner Yao, I  
2 don't know without going to these individuals and  
3 saying, with this proposal, how much. That was the  
4 whole purpose of this meeting, was to obtain that type  
5 of data so that we can move forward and structure our  
6 comments to the Department of Finance. I can't tell you  
7 how much the line drawing component is going to be.

8 COMMISSIONER YAO: Okay, I'm not really asking  
9 for a quote at this point in time. I know we're trying  
10 to get the quote. What is a not-to-exceed number? Can  
11 we at least get that, because that makes a big  
12 difference in terms of me approving it or not approving  
13 it.

14 COMMISSIONER DAI: Can we ask the individuals  
15 rather than asking Mr. Claypool?

16 COMMISSIONER YAO: Right.

17 CHAIRMAN WARD: If the Commission's will is to  
18 open the microphone to the public, I'm happy to do that  
19 at this time. So we'll go ahead and open the floor.

20 AUDIENCE MEMBER: Mr. Chairman, I think I can  
21 save you a lot of time. As Dr. Ancheta, I think,  
22 mentioned, this is a very small universe. I have my  
23 own -- I'm not against for-profits. I have my own.  
24 We're actually doing the city of Stockton.

25 So we all know what each other charges.

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1 You don't have to put out an RFP. Simply put out a  
2 request for information, a non-binding request for  
3 information, and we'll give you the ballpark for your  
4 next meeting. And then you can figure out whether you  
5 want to -- I mean you can write an RFP off of those  
6 informational items. Simply put out a press release  
7 asking for guidance on what ballpark you're looking at  
8 and what choices you need to make. That's all you need  
9 to do, is ask. It doesn't have to be a formal RFP.

10 So that's what I'm suggesting. You don't  
11 have to do the RFP. And plus you're talking about a  
12 sole source contract for something that you might not  
13 even do. Remember your motion earlier today is to  
14 consider the cost of these educational outreach  
15 sessions. You haven't actually voted to do them yet.

16 So, ballpark, you're probably talking,  
17 you know, depending on what options you choose, you  
18 could probably get it -- you know, really skim on the  
19 services, for \$300,000 maybe. But you're probably  
20 talking, given what I suspect you want to do, \$600,000  
21 to a million dollars. But again, if you simply put out  
22 a press release asking people to share this information  
23 with you at a certain time, you'll get it.

24 MR. CLAYPOOL: Okay. So the thing I would  
25 like to -- oh, I'm sorry.

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1 MS. MAC DONALD: Well, I don't know what to  
2 tell you. I've been called the cheapest redistricting  
3 consultant out there. Not to say that I'm cheap. The  
4 most inexpensive one. But I am a cheapskate.

5 But, anyway, I think these proposals -- I  
6 have to agree with Dan. The devil really is in the  
7 details. When we bid on the San Diego proposal I think  
8 there was one proposal that came in for \$300,000 and we  
9 ended up doing it for \$32,000. So, you know, you really  
10 have to look at the options.

11 This is four levels of districts. I  
12 think, Doug, what did you charge for Arizona? Was it  
13 1.5 something? 2.4 million for Arizona. So, you know,  
14 this is Arizona. This is California. So I think now  
15 hearing \$300,000, that may be a little on the lower end.  
16 That may be one stab at a district, comparing it to  
17 that. You know, you really have to weigh it. So just  
18 throwing out a number I don't think makes a lot of  
19 sense.

20 I usually bid by hourly rate. That's  
21 what I've done before. That may also not be a good way  
22 to go for you because when you have to go for your  
23 augmentation to legislature it might be best to have  
24 just a ballpark figure. And when people do ballparks  
25 they usually overbid because they don't want to end up

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1 working for 25 cents an hour. So all of these things  
2 have to be factored in. So it's not that  
3 straightforward. That's all I think I can add to this  
4 at this moment.

5 CHAIRMAN WARD: Seeing no one else approach  
6 the podium, Mr. Claypool?

7 MR. CLAYPOOL: Just I want to make one  
8 comment. I had considered an RFI, what Mr. Johnson has  
9 considered. Remember, if we do an RFI, request for  
10 information, that usually structures the RFP. You get  
11 that information. You say, okay, now we know what we  
12 want, and so now we're going to go out for a proposal.  
13 If we do the RFI and work off of that, you're still sole  
14 sourcing when we move on. It's not -- an RFI is not, is  
15 not a bid. That's just information. So as far as the  
16 Department of General Services is concerned, once we get  
17 that information and you select, you're still doing a  
18 sole source contract.

19 COMMISSIONER DAI: So, Mr. Claypool, if I  
20 understand you correctly, we would have to actually do  
21 an RFP in order to avoid the sole source?

22 MR. CLAYPOOL: Yes.

23 COMMISSIONER DAI: And, in your opinion,  
24 although we've received a fair amount of information  
25 from the work that Ms. MacDonald has done already to

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1 outline this nine-region approach, that that would still  
2 take more than two days to put into an RFP that we would  
3 be able to evaluate.

4 MR. CLAYPOOL: I believe that we can write  
5 that RFP over a two- to three-day period. Then we have  
6 to post it, and we have to start drawing the bids, and  
7 we have to give it a timeline. During that same period  
8 of time, to answer Commissioner Filkins Webber's  
9 request, we can ask that we let it for a lesser period,  
10 although when you let it for a lesser period you're  
11 always subject, then, to comments from people that you  
12 didn't give them enough time.

13 Now, I have heard and respect  
14 Commissioner Ancheta's belief that it's a small  
15 community, and it's the same thing we've heard from  
16 Mr. Douglas, so I believe that this small community is  
17 paying attention. So we would expect that if we had a  
18 smaller timeframe that they would meet that timeframe.  
19 Then we bring it back in. Now we have to make that  
20 comparison. We can make it as staff and we can work  
21 through counsel, but it's got to run back up through  
22 you. If we have that back in time to do it, we can --  
23 well, no, we have to have the second meeting because we  
24 are not noticed for the review of an RFP as of our  
25 meeting in Sacramento. So we are automatically out to

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1 that other deadline.

2 COMMISSIONER DAI: Ms. Future Chair, if we can  
3 amend that? We have adequate time to do fourteen days'  
4 notice?

5 CHAIRMAN WARD: Commissioner Barabba?

6 COMMISSIONER BARABBA: I've learned to listen  
7 to this Commission on several occasions and usually come  
8 out with a different opinion.

9 Based on everything I've heard, it sounds  
10 to me like we're going to end up taking a risk, no  
11 matter what we do. And on one side the risk is we're  
12 going to be delayed because of the process we would have  
13 to go through. On the other side the risk is we're  
14 going to be criticized by taking an action that allows  
15 us to move faster.

16 From my own point of view, I'd rather be  
17 criticized for moving faster and taking that risk.  
18 Because if anything this Commission is going to be  
19 facing in the near future is not enough time. And if  
20 I'm going to be criticized, it's going to be because I  
21 was ready to take the risk of moving faster.

22 COMMISSIONER GALAMBOS MALLOY: I'd like to  
23 note for the Commission that agendaized for the February  
24 24th and 25th business meeting we do have an item on the  
25 agenda for recruiting and hiring, including training

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1 criteria, interviewing, and choosing staff and  
2 consultants. Can counsel clarify if that would be a  
3 sufficient agenda item to allow us the flexibility to  
4 deal with this in Sacramento.

5 MR. MILLER: I think the phrase "choosing  
6 consultants" would give us a basis for making that  
7 decision.

8 CHAIRMAN WARD: Commissioner Yao?

9 COMMISSIONER YAO: I want to thank you for  
10 giving me a chance to kind of work this issue out in my  
11 mind. I think, based on the public comment, I kind of  
12 bracket this cost that we're committing to about a  
13 half-a-million-dollar type of number, even though it's  
14 not a firm quote; it's not a binding number. So on that  
15 basis, and we clearly need a map drawer, and if I voted  
16 against this then clearly we would be putting our  
17 schedule in serious jeopardy. So at this point in time  
18 I'm inclined to support the sole source to Karin and  
19 proceed with the project in that manner.

20 CHAIRMAN WARD: I'd just like to share a  
21 comment, too. I was really torn with this, and I shared  
22 the Commission's feelings and great debate on a very  
23 important issue. I think that there is going to be a  
24 lot of scrutiny going with a sole source contract;  
25 there's no question about that. But the decision before

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1 us leaves us at the same place: sole source contract.

2 And I think that the last bit of public  
3 comment I heard has really helped clear some things up  
4 for me as far as, if what's being asked for is a press  
5 release from a small community, certainly there's enough  
6 avenues for reaching the Commission and providing input  
7 without the press release. So I guess I feel like if  
8 there's ample opportunity to be involved and submit, you  
9 know, proposals, ideas, things like that, if -- and I  
10 just -- I don't feel like putting out a press release  
11 and waiting the extra time at the risk of losing  
12 valuable, valuable time gains us much. So I think that  
13 I, too, agree and would be in support of the motion on  
14 the floor.

15 COMMISSIONER DAI: I just want to clarify that  
16 I don't think it's a choice between a sole source and a  
17 sole source. It's a choice between a sole source and a  
18 competitive bid. If we were able to put out an RFP it  
19 would be in fact a competitive bid.

20 CHAIRMAN WARD: I stand corrected. I was  
21 referring to the idea of not doing the RFP but just  
22 simply noticing the information without a formal RFP, as  
23 was also suggested through public comment.

24 COMMISSIONER DAI: Okay.

25 COMMISSIONER YAO: Call for the question? We

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1 need somebody to second that motion.

2 COMMISSIONER DAI: So with the Commission's  
3 dispensation I would like to just make one final  
4 comment, and then maybe -- I know some other  
5 commissioners are sitting with this as well.

6 I do think from an -- I was trying to  
7 show through these questions that it was possible for us  
8 to do a competitive bid within this time, and we've  
9 established that in fact it would not delay our  
10 decision-making, assuming that people were able to  
11 respond to the bid in time for our next meeting and it  
12 is in fact properly noticed. So I guess I'm having a  
13 hard time understanding why we wouldn't just ask the  
14 question. Because, as has been pointed out, we haven't  
15 asked for proposals, and all I'm suggesting is that we  
16 do ask so that we do have choices.

17 CHAIRMAN WARD: Any further comment?  
18 Commissioner Raya?

19 COMMISSIONER RAYA: Well, not to keep beating  
20 this, but I do intend to vote against this motion for  
21 the reasons that Cynthia has expressed. I just haven't  
22 jumped back into it because I think there's been quite a  
23 bit said, but I'm going to stick with what I think is  
24 the responsible decision for me.

25 CHAIRMAN WARD: At this point we have a motion

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1 on the floor. It's been seconded.

2 A point of order. Well, let's open it  
3 back up for public comment one last time specifically  
4 regarding the motion on the floor.

5 COMMISSIONER DAI: To clarify, is the motion  
6 on the floor to call the question?

7 COMMISSIONER FILKINS WEBBER: Yes, the  
8 question's called.

9 CHAIRMAN WARD: Let's vote.

10 MS. SARGIS: I just need a clarification on  
11 who seconded the original motion.

12 COMMISSIONER FILKINS WEBBER: I did.

13 MS. SARGIS: It thought so. Thank you.

14 CHAIRMAN WARD: Can we have the motion  
15 rephrased from either Janeece or the court reporter.

16 MS. SARGIS: I believe the motion is to enter  
17 into a sole source contract with Q2 Data Research for  
18 line drawing, educational workshops, and input hearings.

19 CHAIRMAN WARD: Thank you.

20 All in favor of the motion on the floor,  
21 raise your hand and say "Yes."

22 COMMISSION MEMBERS: Yes.

23 CHAIRMAN WARD: All against? Opposed?

24 COMMISSION MEMBERS: No.

25 CHAIRMAN WARD: Let's go ahead and do a roll

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1 call. We'll do a roll call vote.

2 MS. SARGIS: Commissioner Aguirre?

3 COMMISSIONER AGUIRRE: I must once again

4 mention that perhaps we could change the order of this.

5 But -- perhaps starting with Mr. Yao. But, yes, I am in

6 support of the motion. I feel that we need to move

7 forward, so let's go.

8 MS. SARGIS: Commissioner Ancheta?

9 COMMISSIONER ANCHETA: No.

10 MS. SARGIS: Commissioner Barabba?

11 COMMISSIONER BARABBA: Yes.

12 MS. SARGIS: Commissioner Blanco?

13 COMMISSIONER BLANCO: Abstain.

14 MS. SARGIS: Commissioner Dai?

15 COMMISSIONER DAI: No.

16 MS. SARGIS: Commissioner Di Giulio?

17 COMMISSIONER DIGUILIO: Yes.

18 MS. SARGIS: Commissioner Filkins Webber?

19 COMMISSIONER FILKINS WEBBER: No.

20 MS. SARGIS: Commissioner Forbes?

21 COMMISSIONER FORBES: Yes.

22 MS. SARGIS: Commissioner Galambos Malloy?

23 COMMISSIONER GALAMBOS MALLOY: No.

24 MS. SARGIS: Commissioner Ontai?

25 COMMISSIONER ONTAI: Aye.

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1 MS. SARGIS: Commissioner Parvenu?

2 COMMISSIONER PARVENU: In adherence to the

3 recommendation of the technical advisory committee, my

4 answer is yes.

5 MS. SARGIS: Commissioner Raya?

6 COMMISSIONER RAYA: No.

7 MS. SARGIS: Commissioner Ward?

8 CHAIRMAN WARD: Yes.

9 MS. SARGIS: Commissioner Yao?

10 COMMISSIONER YAO: Yes.

11 MS. SARGIS: Eight yes's, five no's, one

12 abstain.

13 CHAIRMAN WARD: Very good.

14 Kirk?

15 MR. MILLER: I am checking the rules as we

16 speak to determine if nine is needed for a motion of

17 this type or only for other special types of motions,

18 and I've not found that provision. Does anyone happen

19 to remember that of the lawyers that are here?

20 COMMISSIONER DAI: Yeah. I don't have the

21 number but I believe the minimum vote is nine for any

22 motion, where some require a supermajority by sub-pool,

23 which is also nine, but by sub-pool. Is that correct,

24 Commissioner Filkins Webber? Is that what you recall?

25 COMMISSIONER FILKINS WEBBER: As I recall,

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1 yes.

2 COMMISSIONER BLANCO: That's what I recall as  
3 well. I looked at the stuff last night, so I think  
4 that's it.

5 MR. MILLER: Well, I can report back rather  
6 than --

7 MR. CLAYPOOL: Can we take a small break?

8 CHAIRMAN WARD: Take a five-minute break.  
9 Adjourn in five minutes.

10 (Recess from 5:14 p.m. to 5:24 p.m.)

11 CHAIRMAN WARD: Re-adjourn, back to the  
12 Citizens Redistricting Commission, and I yield the mike  
13 to the Vice.

14 COMMISSIONER GALAMBOS MALLOY: I'd like to  
15 make a motion coming out of that last vote that  
16 hopefully will compromise I think some of the issues  
17 that have been on the table that have left us --

18 COMMISSIONER YAO: Did the last motion pass or  
19 fail?

20 MR. MILLER: Yeah, if I could -- and thank you  
21 for giving me a moment to look at the statute. And  
22 there are two rules helpful to the Commission going  
23 forward. First, with respect to any motion before the  
24 Commission, a vote of nine is required. Secondly, for  
25 retaining consultants, that does fit into the special

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1 rule, which is nine votes and a requirement of three  
2 votes from each of the parties of the nonaligned  
3 commissioners.

4 CHAIRMAN WARD: Thank you, Kirk.

5 COMMISSIONER GALAMBOS MALLOY: So my motion  
6 that I would like to put out for consideration is to  
7 enter into a contract with Karin with Q2 Research & Data  
8 to do only the educational meetings and community  
9 workshops as specified in that first push of what we  
10 need to make happen, so something that strikes a balance  
11 between the interest that we need to get out the gate  
12 and get moving, and at the same time we really want to  
13 make sure we have a robust public process around any  
14 large bids that we do.

15 So we move ahead with the contract on the  
16 educational meetings and workshops and, I would suggest,  
17 with the first statewide input hearing. Then we put up  
18 an RFP for the remainder of the technical support, the  
19 remainder of the outreach and input meetings, and go  
20 through that RFP process. We could set a special  
21 meeting at which time we can review whatever proposals  
22 that we come back to.

23 That's my motion. I wonder before even  
24 seeing if there's a second does Dan have any comment on  
25 that.

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1 MR. CLAYPOOL: I'll second it, only that that  
2 amount will exceed my procurement authority and  
3 therefore you understand will be a sole source contract  
4 for those services.

5 COMMISSIONER GALAMBOS MALLOY: And when you  
6 say "that amount" you mean the amount necessary for the  
7 educational meetings and that first statewide meeting.

8 MR. CLAYPOOL: Right. I believe when Karin  
9 said \$3,000, I think that that figure, in my mind -- and  
10 someone can correct me -- I believe that figure was the  
11 cost of the centers. I didn't hear that as necessarily  
12 being the cost of all her services. So if we're talking  
13 about taking all those meetings and the travel and so  
14 forth, I believe that that will exceed the \$4,999  
15 procurement level that I can make without having the  
16 approval of DGS for this thing.

17 So that's the only caveat in there, is  
18 that we would have to have her submit a bid and then we  
19 would have to take that forward for sole source on the  
20 basis that for that component we don't have enough time  
21 to let a contract with someone else through the RFP  
22 process.

23 COMMISSIONER AGUIRRE: Just a question of  
24 clarification. Regarding Karin's participation in the  
25 educational workshop component of the project, as I

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1 understood it from her presentation and from I think my  
2 discussion with -- our discussion with CCP is that her  
3 participation would be in crafting the data capture --  
4 no, that's not true. Her participation would be in  
5 outlining the type of information and the documents  
6 that -- and the information that CCP would need to go  
7 out and actually do the training, which is the  
8 educational aspect of the workshops, and not only  
9 informing the public about redistricting but also in how  
10 they can submit information to the Commission. Strictly  
11 educational.

12                   So my understanding of Karin's part in  
13 this, again, to reiterate, is that she would just be  
14 working with that consultant to set up the parameters  
15 for the type of information, the type of data that is  
16 going to be captured. So in that sense, then, it does  
17 not really require her to be present, or any of her  
18 staff to be present, as I think will be elucidated by  
19 the outreach consultant in our next presentation. So in  
20 that regard, then, I'm not sure whether that would cost  
21 \$49,999.

22                   COMMISSIONER DiGUILIO: I think to clarify,  
23 too, that the services that Q2 would provide would be  
24 the content for the educational -- the technical content  
25 for those educational meetings, which would then be

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1 implemented by CCP. And correct me if I'm wrong. I  
2 thought I heard you say both the educational workshops  
3 and the input hearings? Was that part of the motion, or  
4 just the educational?

5 COMMISSIONER GALAMBOS MALLOY: Educational  
6 workshops and my suggestion was the first statewide. I  
7 believe in these documents it's called input hearings.  
8 Which is basically what we've noticed in Sacramento.  
9 That would be the civic engagement, the portion where  
10 statewide organizations and interested parties can come  
11 and present to the Commission regarding their feedback  
12 on the overall process. So to have the contracting for  
13 educational purposes and that one statewide meeting in  
14 the first part of our three-phase process that we agreed  
15 to.

16 CHAIRMAN WARD: So we have a motion on the  
17 floor and it's been seconded. Commissioner Ontai?

18 COMMISSIONER ONTAI: I'm still a little  
19 confused on this. Could I ask either Sarah or Charlotte  
20 and Karin to come up and tell us exactly what's going to  
21 happen between the two of you during this educational  
22 process.

23 CHAIRMAN WARD: Actually if I can make a  
24 point. I'm sorry. Can I ask you to withdraw your  
25 motion at this time for reconsideration.

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1 COMMISSIONER GALAMBOS MALLOY: I am being  
2 asked to withdraw my motion for reconsideration at  
3 another time in order that our guests may make their  
4 presentation, given the lateness of the hour.

5 CHAIRMAN WARD: When I was informed -- I was  
6 informed this was ready to go, but it looks like it's  
7 going to require some discussion, and we have presenters  
8 waiting that have been promised that they would have  
9 their time this evening. So I'd like to invite them  
10 forward at this time to make their presentation.

11 MS. RUBIN: Good afternoon, evening. Hi, I'm  
12 Sarah Rubin, and I'm with the Center for Collaborative  
13 Policy.

14 You should have in front of you four  
15 different handouts. And for those who might still be  
16 watching on the webcast, these documents have actually  
17 been uploaded to the [redistricting.ca.org](http://redistricting.ca.org) website, if  
18 anybody wants to follow along. Three of them are up.  
19 [www.redistricting.ca.org](http://www.redistricting.ca.org).

20 And this is my colleague.

21 MS. CHORNEAU: Hi, I'm Charlotte Chorneau,  
22 facilitator/mediator with the Center For Collaborative  
23 Policy.

24 MS. RUBIN: So the four things you should have  
25 in front of you. First I'm going to go over the

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1 PowerPoint, but the other three items are the full  
2 proposal. You'll see the CSUS logo in the top left  
3 corner. That's the narrative version of the PowerPoint.  
4 Next you've got a table. This is a full, detailed  
5 budget which we're kind of thinking of this as a menu.  
6 It's got costed-out options for all the different things  
7 you've been talking about all day, and we'll go over  
8 that.

9                   And then the fourth item, this is the  
10 only one that isn't on the redistricting website. This  
11 is a draft scope of work so that if you would like us to  
12 help you prepare for the February 26th outreach session,  
13 this would be a proposal just for work from February  
14 11th through February 26th.

15                   And then the big one with the multiple  
16 pages with the table, this is the proposal for a full  
17 outreach strategy. Because we're assuming, since you're  
18 just seeing it now, you're going to want to take public  
19 comment and you're going to want people to be able to  
20 comment on this over the next couple weeks.

21                   And then also at the end of the  
22 presentation we're going to be looking if you would like  
23 to move forward with some kind of proposal for your  
24 specific direction on exactly what you want so we can  
25 have a completely refined number for you on February 26.

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1 Is that all -- are you with me so far?

2 All right. So let's go to the next  
3 slide. All right. So a little bit about the Center for  
4 Collaborative Policy. The Center has extensive  
5 experience in civic engagement, multi-party consensus  
6 building, and strategic planning with local, state and  
7 federal agencies as well as non-profits. We are a  
8 self-supporting unit of the College of Social Sciences  
9 and Interdisciplinary Studies at CSU Sacramento. Our  
10 mission is to build the capacity of public agencies,  
11 stakeholder groups, and the public to use collaborative  
12 strategies to improve policy outcomes. We've got three  
13 emphases: service, teaching and research.

14 So this has kind of been talked about all  
15 day, but just to completely clarify. What you're  
16 considering is doing an interagency agreement with us  
17 for this work. So, as you know, a couple Fridays ago  
18 you asked us to put together an outreach strategy  
19 proposal, and as we did that over the last couple weeks  
20 we held some guiding principles in mind. We just wanted  
21 to review these. Most of them are things you've kind of  
22 referenced throughout your meeting today.

23 The first is meet people where they're  
24 at. We feel like this is very important because  
25 there's -- I think Kathay mentioned it earlier today.

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1 There are some people who are following this all the  
2 time. There's others who will get involved over the  
3 next couple months. But we can't assume that folks --  
4 folks might not be interested until June or July when  
5 they see a new iteration of the maps and they realize,  
6 "Oh, this is going to affect me." So we need to be  
7 ready for people coming at this process at any time with  
8 all different levels of knowledge.

9                   Leverage. We want to reach out and work  
10 with the network groups, but given the position of the  
11 Commission, you always want to balance that with  
12 perceptions of neutrality. So that's something we're  
13 always thinking about.

14                   And then we definitely want all our  
15 efforts in sync. So whoever your technical expert is,  
16 we need to work very closely with them. We'll of course  
17 be working very closely with Mr. Wilcox, your  
18 communications director.

19                   And continually test assumptions. So we  
20 always encourage that, whatever you're doing, you're  
21 thinking through how might others perceive this. We're  
22 always coming from always have the best intentions, and  
23 I'm assuming you all would, too. We always want to  
24 question ourselves. How might others see this? What  
25 might we not be thinking of? So just taking the time to

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1 do that.

2 And then seeking quality over quantity.

3 Planning is always time well spent.

4 Use existing networks to broadcast  
5 messages.

6 Trusted messengers. And I think this is  
7 another one you've already talked about quite a bit  
8 today.

9 And finally accommodate different  
10 learning styles. For some people it's seeing it on the  
11 PowerPoint. For some people it's making notes on your  
12 handouts, or listening. Everyone learns differently.  
13 And you want to hit people as many ways as possible so  
14 they can really take in the information, especially  
15 since this topic is quite complex and it's not something  
16 people are necessarily familiar with. It's new to them.

17 Okay. This is a high-level overview of  
18 our proposal. We're in the middle, civic engagement  
19 facilitators, and we would be coordinating with your  
20 different consultants, technical experts, communication  
21 strategy of your communications director.

22 And then earlier it was referenced, and  
23 we'll get a little deeper into, commissioner-initiated  
24 outreach, so times where you might go out and visit a  
25 place. It isn't feasible to do a big public meeting.

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1 Say you're going on the radio or interviewing with  
2 ethnic media, for example.

3 And then of course we would be  
4 implementing the public outreach.

5 MS. CHORNEAU: And this slide is showing how  
6 it's going to take a major project management role to  
7 make the trains run throughout the next few months if  
8 you're going to do a big outreach process. So you need  
9 someone who is coordinating everything and making sure  
10 everyone is on the same page.

11 MS. RUBIN: Proposed timeline. You've already  
12 seen this maybe in some different iterations from  
13 different folks. You've got your first -- we know  
14 you're doing an initial outreach meeting February 26.  
15 We've got February out there. The idea is that  
16 community workshops would happen in March. And we think  
17 that even though people would like to have them all in  
18 March, we think you probably can't accomplish that. You  
19 might have to have some the beginning of April. And  
20 then your public hearings would happen all through  
21 August.

22 And then down here we've got the  
23 Commission-initiated educational outreach, which we  
24 would encourage you to go wherever -- we've heard from  
25 you over the meetings everyone really wants to get out

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1     there, and we would encourage you to do that.

2                   MS. CHORNEAU:  So we'll just take a minute to  
3     kind of explain how we put this proposal together and  
4     some of the steps that we are recommending you need to  
5     initiate right up front.  So whenever we do a process  
6     design it's a best practice of ours to talk to people  
7     who are already on the ground and engaging in the  
8     subject.  So we never do a process design in a vacuum or  
9     assuming that we know what other people are doing.  We  
10    actually talk to them.

11                   So we started making some informal calls,  
12    informal assessments, talking to some groups that are  
13    really well known and engaged on this subject, seeing  
14    what their expectations are for the Commission's  
15    engagement effort, seeing what they would like to see,  
16    asking them what would be most helpful, where are the  
17    gaps, where would you fill in those gaps.

18                   So those are the kinds of questions we  
19    were asking, and that was what was informing our  
20    process, also keeping in mind our own expertise in doing  
21    these types of really large-scale outreach efforts.  But  
22    that was informal and that was time-compressed.  We  
23    would recommend doing a broader assessment, at least an  
24    online survey or something that would be open to anyone  
25    who would like to give input.

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1                   It's really important to not shut any  
2 doors and allow anyone who would like to give input.  
3 That's actually one of the things that is on your  
4 from-now-to-February-26 scope of work. If you were to  
5 ask us to do it we could draft an assessment and put it  
6 up on like a survey monkey or blog or something like  
7 that.

8                   The next thing is your communications  
9 assessment. And when Sarah went over the guiding  
10 principles a moment ago she said one of them was to  
11 always leverage existing networks, on-the-ground  
12 networks, groups that are already engaged and know who  
13 are community organizers. We would never want to  
14 recreate that wheel. We would want to identify those  
15 people and start building that list serve, call it that  
16 now, so that when you're ready to start holding meetings  
17 you can just press, you know, the send button and you  
18 already know the people that you need to connect with.

19                   So that's our communication assessment  
20 and that also needs to start right away.

21                   The next thing here is February 26 public  
22 hearing. We felt and we advised that use that day to --  
23 rather than open it up to -- and I know you can't limit  
24 the focus, but at least you can be proactive about what  
25 the focus is, and that would be to invite those types of

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1 statewide groups that are already doing outreach and  
2 allow them time to give presentations on what they're  
3 doing, structured presentations, so that they're all  
4 answering the same kinds of questions, that you're  
5 getting that information back, the same kinds of things  
6 that we've been talking to them about in our assessment,  
7 but then you can get that information directly from  
8 them.

9                   So just mention these are, again, all  
10 things you guys have been talking about today, so we'll  
11 go kind of quickly through them so we can get through  
12 everything today.

13                   The toolkit, which is our first  
14 component, if you think of it like this, you need to --  
15 so a couple people today have talked about materials and  
16 how to develop them. One thing would be your own type  
17 of guidelines or worksheet of how you like to structure  
18 input coming from the community in a hearing to you.  
19 It's really important to have that type of structure.  
20 It can create -- if everyone's coming up and doing their  
21 testimony in different ways it's really hard to organize  
22 that on the other end. So we would recommend that you  
23 do a worksheet or some sort of guidelines, and that  
24 would become the core of your toolkit. You would want  
25 to get that out to people in enough time to prepare

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1 their testimony, et cetera.

2                   You'd also want to have educational  
3 materials, possibly like Kathay from Common Cause  
4 mentioned earlier, which is exactly what we would  
5 mention, is take all the materials that are already out  
6 there, work with them, that they've already done the  
7 work, and just kind of reformat it, maybe change the  
8 tone or the branding, but at least you don't have to  
9 recreate that wheel. But you do want to put that  
10 information out there.

11               MS. RUBIN: I was just going to add on that  
12 another thing we heard in our informal phone calls is  
13 that folks out there would really like clarity on  
14 exactly what you want. And once they understand what  
15 you want and how that is going to be in your data  
16 rollout, it will really help them organize and  
17 communicate to their own constituencies. So no matter  
18 who does this, it's of absolute importance. It's going  
19 to make it so much easier for you when it's time to call  
20 up that data.

21               MS. CHORNEAU: So we've been talking about  
22 community workshops or educational workshops. They can  
23 be done in different formats. And so if you think of  
24 everything that I'm talking about now as kind of the  
25 menu, there are a lot of different options to achieving

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1 these objectives. But this objective is the educational  
2 component to this, something that you want to start  
3 early on. You want to get that toolkit out there. You  
4 want to start bringing people together, at least provide  
5 the option for people that are not engaged yet, for  
6 whatever reason, to come to a regional community  
7 workshop and start becoming engaged.

8           There are many groups that are already  
9 doing this on the ground, and there might be people that  
10 are only paying attention to what the Commission is  
11 doing. There might be people that don't feel  
12 comfortable, for whatever reason, going to one of the  
13 meetings that is already taking place. So this is just  
14 an opportunity for you to hold your own.

15           There are many different formats, and I  
16 know that in our text here in the full process design we  
17 are recommending that you videotape the first one, put  
18 that on the web, have it available in a different  
19 format, and you can mix and match. We were working with  
20 Karin so we were working off of a seven -- an assumption  
21 of possibly seven that you could do. You know, you  
22 could redesign it and retool it so that it fits your  
23 budget or your objectives, but we do think that at least  
24 doing some sort of outreach in the educational is really  
25 important.

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1           This was an idea that we had to carry that  
2 same theme throughout the whole process. So if you do  
3 seven community workshops and they end in the middle of  
4 April, we are recommending that you could do a  
5 prehearing educational session. So say your hearing  
6 starts at 10:00. You open the doors at 8:00 and you  
7 have those materials there. You have staff there that  
8 can answer some questions. People can come two hours  
9 early and get themselves organized in case they haven't  
10 been involved before. It's very valuable time and it's  
11 time well spent.

12           The other thing is people might just not know  
13 how the hearing is going to go, and that's another  
14 opportunity to explain the structure of the meeting, the  
15 agenda, so that they feel more comfortable.

16           The public hearings, we do recommend --  
17 statutorily you have to hold these types of hearings.  
18 That doesn't mean you can't have any structure around  
19 them. That doesn't mean you can't educate people before  
20 the hearings, comment about what to expect that day,  
21 which is what you would do in your educational sessions.  
22 So we would definitely advise you doing a design and a  
23 structure and getting that out there as soon as possible  
24 so people know exactly how to present that day and what  
25 to expect.

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1 MS. RUBIN: Just so that you can start  
2 thinking about this step, one of the things that we've  
3 been thinking about is just, for example, today I think  
4 you heard from somebody who had a public comment: It's  
5 hard to know when they're supposed to come about a given  
6 subject. You know, you can comment now but only on this  
7 motion. So people are thinking, "I have something to  
8 share. When do I share it?" And our experience is that  
9 if you know when you're going on you don't mind waiting.  
10 It's kind of like the bus. Like if you know the bus is  
11 coming in six minutes you don't mind waiting six  
12 minutes. But when you have no idea if it's two minutes  
13 or fifteen, that's when you start to feel anxious.

14 So the more that we can do to set up the  
15 public hearing. So, for example, one idea we've talked  
16 about is kind of like the -- when you go to the deli and  
17 you take a ticket, or at the meat counter, and you wait  
18 for your number to be called. Can you set up anything  
19 that will help people understand when they are going to  
20 go up to testify. So if I'm on number 17 and I'm number  
21 56, I know it's quite a while until I'm going to need to  
22 testify. So if I want to step outside the room and get  
23 a drink or call and check on someone. Or, you know, if  
24 you're going to hold these on Saturdays a lot of people  
25 are going to come with their kids, so maybe they want to

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1 step outside and play with their children and come back  
2 in.

3 Thank you.

4 MS. CHORNEAU: Commissioner-initiated  
5 educational outreach. We heard at the last meeting, you  
6 articulated a need to go to places where -- you know,  
7 your arms can only extend so far, given the budget and  
8 the time. And there might be places that you as  
9 commissioners have a special interest or places that you  
10 feel are just not getting reached out to enough through  
11 the formal hearings or the public workshops. And so  
12 we've talked to the Commission's communications director  
13 and worked out some way that you could approach this,  
14 which would be to work with him to get possibly earned  
15 media educational. It would be one way. But you could  
16 at least reach out to those areas if you feel they're  
17 being left out. And that's one suggestion for how you  
18 could approach that. And that would be throughout the  
19 process we would encourage you to do that.

20 Your online resources. I don't think it  
21 should come to any surprise that people would like your  
22 website to be really user-friendly. It should probably  
23 be a dot.org so that it can more interactive and you can  
24 do more with that than you can with a statewide site.  
25 You would need to contract probably with a webmaster and

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1 have somebody coordinating with that. These are just  
2 some examples of things that you should probably have on  
3 your website. Something we definitely heard from the  
4 community, as we're talking to them, is a calendar. And  
5 if there's any way to make it interactive so that they  
6 can put their own dates on there and share those dates,  
7 broadcast them, it would be a great added value.

8                   You can also use that as a place to hold  
9 your toolkit. It also creates a lot of transparency.  
10 You can hold your video stream and all of that.

11                   And also we are assuming that there would  
12 be a way to upload testimony directly to the website.  
13 So if someone comes to an educational workshop and gets  
14 all that information and wants to go home and do it at  
15 home with their community, they don't have to come back  
16 to a formal hearing. As long as you broadcast that  
17 option out there, people will use it.

18                   MS. RUBIN: I just want to add in on the  
19 importance of that, is when you're talking about the  
20 number of hearings you can hold and coming back to this  
21 part of an area or that part of an area, we all know,  
22 depending on where you're talking about, either because  
23 of the literal geographic distance or traffic because of  
24 where you are, say you hold a hearing for your first  
25 hearing and then you're going to move somewhere else, it

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1 just might not be realistic for folks to come back  
2 because it would be just too much travel time.

3 MS. CHORNEAU: This is actually something that  
4 hasn't been talked about yet, and it's a conference call  
5 webinar option, another thing in lieu of an actual  
6 in-person hearing, which are very expensive. There are  
7 a whole lot of people who aren't going to be able to  
8 participate in person for whatever reason, whether  
9 they're working full-time, or they live in remote areas,  
10 they're just too busy to come on a Saturday. This is a  
11 great and very inexpensive way to hold educational  
12 workshops on the phone.

13 I don't know if you're all familiar with  
14 the webinar type of software where you can show your  
15 screens to anyone that clicks on the link. You can just  
16 follow along that way. We would definitely recommend at  
17 least holding one or two of these. If you're going to  
18 do any sort of educational workshops you'll capture a  
19 lot more people doing that.

20 Phone access. Just you should have a  
21 phone that people can call. Not everyone is on the web.

22 MS. RUBIN: So here we're just reiterating the  
23 different roles and the responsibilities. And, from  
24 where we sit, we would be working with everyone you see  
25 here. Obviously we would be the civic engagement

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1 facilitators. You've got your technical experts,  
2 coordinating logistics, working with the communications  
3 director, the webmaster you end up bringing on, and then  
4 translation and interpretation, and of course with your  
5 staff.

6                   And then here's a different view of what  
7 we've been talking about, just coming back up to the  
8 high-level view. So you see here on the right all the  
9 things that we've talked about as far as what we're  
10 thinking of as your menu, your components, and now you  
11 need to decide what you want your outreach strategy to  
12 look like so that we could -- if you want us to help you  
13 refine some kind of plan.

14                   So hearings with possibly a prehearing  
15 educational element, community workshops, conference  
16 calls, which could also include webinar, online  
17 resources, and some kind of phone access.

18                   MS. CHORNEAU: Just because there are a lot of  
19 different moving pieces. And I know you guys are tired,  
20 as I think we all are at this time of day. I wanted to  
21 explain just a little bit about how we would work with  
22 the other groups specifically. For example, when you're  
23 creating a toolkit, like the materials, Sarah and I, our  
24 organization is content-neutral. We do not create  
25 content. What we would do is we would work with your

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1 technical experts to create the content. We would work  
2 with your staff for their input, and then we to put it  
3 all together.

4 And our input is more on process. So  
5 it's like if you ask a question you should have lines so  
6 people can actually write it in, you know, those types  
7 of things. Or if you word it in this way people might  
8 understand it better. And we'll help you formulate  
9 that. So that's just one example of how we would work  
10 together.

11 MS. RUBIN: And as we start to go into the  
12 budget now you'll see we have time in there to  
13 coordinate those efforts. And then we have time in so  
14 that, once you have your basic materials, if you wanted  
15 us to, we would work with your translators to get all  
16 your materials translated, to get everything done so you  
17 have everything in place, so wherever you go you have  
18 everything you need.

19 Any questions on this before we start  
20 going into the budget? No. Okay.

21 So the next sheet, if you could pull out,  
22 it's the big table, has "draft" written in large  
23 letters. So what we have here -- I think Charlotte,  
24 she's going to pull it up on the screen. So what we  
25 have here is we're trying to show you specific numbers

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1 around our estimate of what it would take for labor to  
2 implement what we've just been talking about.

3 So we've got the labor rates on the left,  
4 the task or activity in the next column, our estimated  
5 hours, so either per week or for your whole process or  
6 month, depending on what it is, the total number of  
7 hours, and then an explanation of what this involves.  
8 So if it's six hours it's like what are you doing for  
9 those six hours. That's the explanation on the right.

10 So what I can do is let me give you a  
11 choice. I can either run through this just pretty  
12 slowly page by page. I can tell you what's on each page  
13 and you can take a couple minutes to look through it and  
14 then we can do questions. It's a lot of information.  
15 What would you prefer?

16 COMMISSIONER ONTAI: Can you do a summary and  
17 then we can open it up to more details?

18 MS. RUBIN: Sure. On the first page what  
19 you're looking at is base costs. So just as  
20 Mr. Claypool was talking about earlier, you don't know  
21 exactly how much money you're going to have because of  
22 the way you're going to the legislature, so we have  
23 divided this up with the thought of here's the absolute  
24 minimum you can do to move forward whatsoever. And then  
25 after that here are all the different components, what

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1 they cost. And then we're going to give you  
2 multipliers. So we'll be looking at how much something  
3 one time costs, and then that way if you want to  
4 multiply it by nine or eighteen or thirty-six it's up to  
5 you.

6 So here's our baseline costs. First we  
7 have coordination with the webmaster. We assume that  
8 would be ongoing, an average of six hours a week. We're  
9 looking at this as 22 weeks from March 1st through the  
10 end of July is the timeframe that we're looking at here.  
11 So we know that it would be more at the beginning, so  
12 this is an average.

13 Then the toolkit. We have a blog  
14 estimate, newsletter, surveys, pod-casts. These are all  
15 examples. You can pick and choose, because we had the  
16 impression you want to know all the different options  
17 out here. This isn't saying you have to do any of it;  
18 it's just so you understand.

19 Coordinating with the videotaping.  
20 That's the idea Charlotte brought up earlier, that if  
21 you wanted to videotape a workshop and then post it on  
22 the web, that would take some coordination to work with  
23 whoever was contracted to do that.

24 To coordinate with the database the data  
25 roll-up index issues, we assume that would be about two

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1 hours a week.

2 And then here in the next line, I  
3 apologize but we didn't realize until we already had  
4 this printed. I made a big mistake. So I'm going to  
5 ask you to get out your pen or pencil, and I've got it  
6 corrected on the one you're seeing on the screen, but  
7 the one in front of you is wrong, and it's a big wrong  
8 because it's about a \$76,000 mistake. So it's a  
9 lot-of-money mistake.

10 So here on establish outreach network,  
11 communication assessment, you on your paper have the  
12 number 920, and it should be 284. So a very significant  
13 difference. So I want to make sure you note it because  
14 it changes all these numbers significantly. And I  
15 apologize. I feel like if we realized how much time we  
16 had before our presentation I just even could have  
17 gotten these recopied, but we didn't know.

18 So we're estimating here.

19 I'm just taking a little time with this  
20 because I know this is key to what you're looking for.

21 20 hours to work on your overarching  
22 outreach and communication framework. Then an average  
23 of twelve hours a week for 22 weeks, or another way to  
24 look at it with your nine-region division of the state  
25 would be 29 hours per region.

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1 MS. CHORNEAU: Let me clarify. This is what I  
2 was talking about earlier, which is finding those touch  
3 points. I call them grass tops. So rather than going  
4 all the way to the root you're finding those people that  
5 can get there for you, but that still takes a lot of  
6 time and coordination. And then it's also the time you  
7 would spend getting the information to them and making  
8 sure they understand and if they have any questions.  
9 There's time associated with that.

10 MS. RUBIN: So then we got process design  
11 refinement, developing meeting materials, working on the  
12 graphics, the looks of all your materials. We have an  
13 in-house graphic person. And then project management.  
14 That goes back to us being in the center and making sure  
15 all the parts are moving on time.

16 So now is another time for your pencil.  
17 The total CCP base cost, rather than the  
18 two-eleven-two-sixty-four you have on your sheet it  
19 should be 130,569. \$130,569. So this is our estimate  
20 for a base fixed cost. It's kind of to get you started.

21 MS. CHORNEAU: Well, that chart is one-time  
22 cost, so they're not associated with a meeting, so you  
23 wouldn't have to times them by 18 or something. Those  
24 are things that we're estimating for just ongoing costs.  
25 The next chart will show you what it would be for per

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1 workshop, per hearing.

2 MS. RUBIN: And then for the other direct  
3 costs, for example, included in this when we talk about  
4 something like your prehearing educational sessions, we  
5 would want to get a series of poster boards, things that  
6 fold out so people could be looking at the information  
7 in different ways. We'd have two sets, one for the  
8 north half of the state and one for the south.

9 So the one-time base cost, the total  
10 \$134,944.

11 MS. CHORNEAU: And just to clarify again,  
12 that's if we did all the things on the list, so it would  
13 be taking the things at the buffet.

14 MS. RUBIN: So if you didn't want a blog we'd  
15 subtract that; didn't want service.

16 Okay, any questions on this page before  
17 we go to the next?

18 COMMISSIONER BLANCO: The one-time base cost  
19 now that it's been adjusted?

20 MS. RUBIN: 130,569. Oh, the bottom one, I'm  
21 sorry. 134,944.

22 Okay, second page.

23 Am I going through this too fast or slow?

24 Okay.

25 So we're on page 2. So this page

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1 outlines our details, our assumptions and details about  
2 the workshops. Now, some of this, given what you all  
3 talked about as far as Karin, these assume -- some of  
4 these numbers you wouldn't need if you did it in  
5 conjunction with one of Karin's resource centers  
6 because, for example, going there would be free. You  
7 don't have to pay for a space. But we wanted to give  
8 you the bigger picture so if you didn't have the  
9 resource center what's it going to cost you.

10                   Okay, planning team calls, because  
11 anytime we go anywhere we're going to need to work with  
12 the local folks. So if it's Karin's center in San Diego  
13 we need to work with those people to get ready and  
14 organized.

15                   Travel, we are doing an estimate of six  
16 hours. And when you see the "2X" that's for two people.  
17 So we're assuming two folks would go to these workshops.  
18 And then you see the note on the right. We charge  
19 halftime for travel, so that's included in the way these  
20 numbers add up. But we do want you to note that ODCs,  
21 or, you know, mileage, air flights, whatever, would be  
22 additional costs. This is only labor in this table.

23                   Meeting time. We're assuming -- people  
24 have talked about four-hour workshops or six-hour  
25 workshops. For the purposes of this, we're assuming a

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1 six-hour workshop, 1.5 hour setup and a half hour  
2 breakdown. Four hours for -- so a total of eight for  
3 two people. To do some kind of follow-up we would  
4 assume you would want some kind of very high-level  
5 one-page, three-page summary of what happened at that  
6 workshop posted up on the web.

7 Materials you need to update for  
8 everyplace you go. It will be a little different.

9 And then the next list has to do with  
10 coordinating, coordinating with your outreach network.  
11 We assume you probably want photos taken at your  
12 different workshops that you can post up on your  
13 websites, coordinating with the online people who do  
14 online registration, logistics. We're assuming you  
15 probably in most places will need a translator or  
16 multiple translators for multiple different languages.  
17 Coordinating with your mapper or technical folks, and  
18 then if there's a video team there, and with a trainer.

19 So this, there's no mistakes on this  
20 page. All the numbers are right.

21 MS. CHORNEAU: I just wanted to make another  
22 point. Also for today's purposes these numbers are  
23 assuming that basically Sarah and I will be doing this,  
24 so the rates are at that level. We have people on staff  
25 at lower rates and so, when appropriate, like doing a

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1 blog entry, we might have someone at a lower rate draft  
2 that. So keep that in mind, that this was drafted with  
3 that assumption, that it would be just she and I, and  
4 that's not really actually how we would work it. So it  
5 might be -- some things might be higher. Just some  
6 things. Why would I pay someone that much to post a  
7 picture? We wouldn't do that.

8 COMMISSIONER ONTAI: Go ahead and finish this  
9 sheet and when you're done I'd like to open it up for  
10 Commission questions.

11 COMMISSIONER BLANCO: On this sheet I think  
12 you mentioned this includes travel time but not airfare  
13 and lodging?

14 MS. CHORNEAU: Other direct costs, no.

15 COMMISSIONER BLANCO: How would you do that?

16 MS. RUBIN: Wait, let's go through this. We  
17 actually have that.

18 So beneath the table where it says CCP  
19 labor and expense, \$7,592 per workshop. That's for the  
20 labor. And then we have assumed an average of \$200 in  
21 travel expenses. So that that's knowing that some of  
22 them would be -- we basically looked at the nine regions  
23 and kind of did a back-of-the-napkin of some of these we  
24 would be driving and some of them we would be flying,  
25 assuming you can get pretty cheap flights on Southwest,

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1 for example. That came out to an average of about \$200  
2 for travel expenses. So we are including the travel and  
3 the airfare in the numbers that you see at the bottom of  
4 the page.

5 MS. CHORNEAU: I was trying to do the reality.  
6 But we have staffs that are statewide. So, again, we  
7 built an estimate in here to give you something to look  
8 at. But if we were holding one in LA we would of course  
9 try and have our LA staff be the ones that do it. So  
10 just keep that in mind.

11 MS. RUBIN: Yes. And we want to take this  
12 moment to introduce one of our staffers who is based in  
13 southern California. This is Mindy Meyer.

14 Okay, we're doing great on time. Any  
15 questions on this sheet?

16 COMMISSIONER GALAMBOS MALLOY: My question is  
17 in regards to down below the actual chart you talk about  
18 the cost for interpreter services. It includes travel,  
19 assumes one interpreter per workshop. I would  
20 anticipate we will have workshops where one interpreter  
21 is nowhere near what we'll need. Particularly we'll  
22 interpreters in multiple languages. So I'm wondering if  
23 you can tell us a little bit if you have had experience  
24 working in those types of settings.

25 MS. RUBIN: Yes, I'm glad you asked the

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1 question. So let me preface it with I can probably go  
2 on too long with the details of this, so stop me. I'll  
3 try to stop in between when it's gotten too much.

4                   So, ideally, what anybody in the  
5 situation you're in would want to do is want to have  
6 simultaneous translation. And if you're not familiar  
7 with that, the ideal is folks who want to be hearing  
8 things in their own native language would be wearing a  
9 headset, and then you would have interpreters who would  
10 be speaking through a microphone and they would hear it.  
11 When you work that way you have to have two interpreters  
12 because it's very hard work and they have to trade off  
13 every hour. So automatically you're looking at two  
14 people for each event.

15                   Then I'm told to do it right those people  
16 need to be in a soundproof booth, and then they need to  
17 have like a wire or cord with them. I think it's maybe  
18 like your interpreter with the way the sound runs into  
19 her headset so you don't get confused with background  
20 noise. That is completely cost-prohibitive. We looked  
21 into it and it would be way over a million dollars to  
22 try to do that.

23                   So what we wanted to bring to you is the  
24 make-work option, which might not be ideal, but what  
25 we're bringing up is the idea that you would have to

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1 have some -- either through some kind of registration or  
2 just some kind of estimate of working with your partners  
3 on the ground. If you could have some idea of how many  
4 folks are coming, then you can make some guesstimate of  
5 how many translators you would want to have come, and  
6 then you would probably have those people sitting next  
7 to the translator. We'd have the materials translated  
8 into their language so they'd have them in front of  
9 them, and then the translator would be whispering  
10 consecutively, not simultaneously, what the speaker in  
11 front is saying. So it wouldn't be ideal.

12 And the other thing just I want to note  
13 is you can't assume people are literate or fully  
14 literate, so even though we would have the materials in  
15 a different language, you shouldn't be assuming they can  
16 read them. Or maybe they can get part of it. And also  
17 this is technical and complicated.

18 COMMISSIONER GALAMBOS MALLOY: Thank you.  
19 That's more than enough information. I just wanted to  
20 make sure you guys have worked with that. Those are the  
21 type of details I'm sure our subcommittee is more than  
22 prepared to handle. Thank you.

23 MS. CHORNEAU: Yes. And we just, again,  
24 include the one. It's actually in the middle of the  
25 range. A Spanish one-day interpreter is a little bit

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1 less and then other languages are more. So the \$750 is  
2 kind of right in the middle. And then that way you've  
3 got the figure for one so you can kind of always  
4 multiply it and see what that would be.

5 MS. RUBIN: And when we did a quick analysis  
6 of the state and the region I think in a lot of places  
7 you could probably need two or three languages, but we  
8 didn't want to go too deep and overwhelm you today.

9 Okay, should I move -- other questions or  
10 next page?

11 COMMISSIONER GALAMBOS MALLOY: I just want to  
12 take a pulse of my fellow commissioners. I feel like  
13 we're getting a lot of really rich detail here. I'm  
14 assuming it's somewhat redundant to what was talked  
15 about in the subcommittee, and to what extent we want to  
16 invite our presenters to continue going through this  
17 detail or whether we feel we have enough information to  
18 go back to the matters at hand.

19 I'd make a motion to actually wrap this  
20 presentation up.

21 MS. CHORNEAU: I would want to make one other  
22 comment, though, just about the logistics. Dan had  
23 mentioned our sister agency at Sacramento State that we  
24 could use to do logistics. And I don't want to get too  
25 in the weeds, but we got a list of considerations last

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1 week, and when we saw that list we thought we could  
2 really get some efficiencies by bringing in a conference  
3 specialist, logistics specialist. And we realized last  
4 night that that list is for this type of meeting today,  
5 so it would be like the full hearing with fourteen  
6 commissioners, and that price, it's a lot more than what  
7 we're talking about at a hearing or a workshop.  
8 In-house we do do logistics for this type of thing that  
9 we're talking about here. With security and fourteen  
10 microphones and that kind of stuff, that's when we might  
11 bring in someone else to do it because there are  
12 additional needs, if you're talking about the numbers.

13                   Anyway, in this document that we passed  
14 out today, which is different than yesterday, we did our  
15 own estimate for what it would cost if we did the  
16 logistics. So now that's folded in. Yesterday we  
17 didn't have the good number for that. So it's changed  
18 from yesterday and it's in here, and that's the number.  
19 It wouldn't be more than that to do this type of  
20 logistics per hearing or workshop, and that's what it  
21 would be to have us do it. So just to give you that  
22 number.

23                   MS. RUBIN: The other thing I just want to  
24 doublecheck, you two Fridays ago asked us for three  
25 budget scenarios, and we do have that on the very back

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1 page. And the issue with those numbers is, because of  
2 my mistake on the first page, all those numbers need to  
3 be adjusted accordingly. So I could read those through  
4 if you want. Okay. And Charlotte will flip us to the  
5 very last. It's corrected in this document.

6                   There we go, okay. Minimum approach. So  
7 the base cost, \$134,944. So this one we call the  
8 minimum approach, harkening back to Mr. Claypool's not  
9 knowing, with a total of \$469,175. And then -- so your  
10 base costs are going to carry down in all four of these  
11 options. So the \$134,944.

12                   So now I'm just going to give you the  
13 total cost. Option 1 total cost, \$571,900. Option 2  
14 total cost, \$749,220. And option 3 total cost \$892,256.  
15 So option 3 is the closest to what you were talking  
16 about earlier. That one assumes 36 hearings,  
17 videotaping one community workshop. And one thing we  
18 haven't talked about is, although Karin is talking about  
19 seven workshops and you can hold as many as you want, in  
20 that proposal there is no workshop being held in the  
21 north part of the state, and so our recommendation is  
22 that you add one to the north.

23                   CHAIRMAN WARD: Thank you for your  
24 presentation.

25                   Is there any questions directly for CCP

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1 at this time?

2 MS. RUBIN: I'm sorry, there's a real  
3 important part that we didn't even go over, which is the  
4 last page, which is a draft scope of work, if you are  
5 interested in having us help you with your February 26  
6 workshop. It's a two-pager. And on the second page the  
7 printer only printed three fourths of the page. The  
8 total at the bottom of the page is \$9,936. That's what  
9 those three figures add to, \$9936. So if you want, I  
10 can go over this. It's up to you.

11 CHAIRMAN WARD: Is there any further questions  
12 at this time?

13 COMMISSIONER ONTAI: So, Sarah, you're ready  
14 to go in terms of this outline here and you can actually  
15 do this on February 26?

16 MS. RUBIN: I'm sorry, I don't know why, but I  
17 can't hear you.

18 COMMISSIONER ONTAI: So this proposal here for  
19 February 26, you're saying for \$9,936 you folks are  
20 prepared to go forward and actually do this?

21 MS. RUBIN: Exactly. We knew you would need  
22 time to consider the big proposal, and actually if you  
23 want a refined proposal, as you talked about earlier, we  
24 need more direction from you because we don't know what  
25 you want. So we would need a refined request to give

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1 you a definitive sense of the big picture. But this  
2 just helps you if you would like our assistance between  
3 now and February 26. That's what this is.

4 MS. CHORNEAU: Well, just that there's a  
5 couple items on here. So there's continuing to develop  
6 the process for the broader outreach effort that's  
7 included here, and then facilitation/support on the 26th  
8 which would include coordinating with those groups that  
9 have been invited, making sure that they're organized  
10 and ready to go and making sure that that day goes well  
11 and is organized and everyone has all the information  
12 that they need to prepare.

13 And then the last one, which I think is  
14 the first one on here, is what I mentioned earlier about  
15 that broader assessment. We would like, or we would  
16 recommend that if you were to do that you would start  
17 it, that you could announce it. It could already be up  
18 and running when you hold that meeting on the 26th. So  
19 we could draft that and get that going before. So  
20 that's what we're including in the scope of work and the  
21 budget.

22 MS. RUBIN: And we're a little uncomfortable  
23 going forward with our full process design without  
24 getting more feedback from the public.

25 CHAIRMAN WARD: Commissioner Parvenu?

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1                   COMMISSIONER PARVENU: This is very ambitious,  
2 and thank you for the good work you put into this. This  
3 of course includes outreach to media outlets? I know  
4 that some newspapers and publications require two-week  
5 deadlines.

6                   Please, Mr. Wilcox.

7                   MR. WILCOX: Yes, that's part of the my job in  
8 the role of our communications outreach and strategy.

9                   COMMISSIONER PARVENU: Thank you.

10                  COMMISSIONER YAO: First of all, on supporting  
11 the February 26 meeting, the public has brought to my  
12 attention that each of the columns, the additions don't  
13 add up. So I know it's a minor adjustment, but you may  
14 want to take a look at that.

15                  Secondly is your one-time fixed cost.  
16 Don't you have to do that before February 26?

17                  MS. RUBIN: We wouldn't be planning on it, no.

18                  COMMISSIONER YAO: So without doing all the  
19 preparation of the material, what is it that you're  
20 going to do on February 26?

21                  MS. CHORNEAU: Yeah, the design would be  
22 different than the other public hearings that we were  
23 talking about up here. It would be what Karin is kind  
24 of referring to as a statewide hearing. The notice has  
25 actually gone out to invite groups that are engaged in

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1 outreach, on-the-ground outreach, and it doesn't have to  
2 be people that are statewide. It could be anyone. It's  
3 open to anyone to respond to the invitation, is come and  
4 give a presentation, a structured presentation on what  
5 they're doing, and give you that feedback. So the  
6 design would be different. The focus would be  
7 different. Anyone could make any public comment, as  
8 they can here today, but that would be the design focus  
9 and that's what we would explain to the public or in  
10 your notices and speaking with people.

11 COMMISSIONER YAO: Not to belabor the point,  
12 does the subcommittee understand the differences between  
13 the February 26 meeting and any subsequent meetings such  
14 that we can learn something from the February 26  
15 meeting? Just from what I heard, it sounds like we  
16 haven't done the real presentation, or the prep work for  
17 the training or outreach because we would not incur any  
18 of the one-time cost. So what we're doing on February  
19 26 is going to be completely different than everything  
20 else. What is it that we're going to try to learn from  
21 the February 26 meeting is really the question I have  
22 for the subcommittee.

23 CHAIRMAN WARD: I'd like to, because of the  
24 late hour, refer subcommittee questions. We'll table  
25 those until tomorrow for further discussion with the

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1 subcommittee.

2 But any questions directly for CCP, let's  
3 go ahead and get those out now because I don't believe  
4 they will be with us tomorrow.

5 COMMISSIONER BLANCO: I just want to clarify.  
6 So the actual -- besides the survey, the tasks for the  
7 next meeting would be developing the description of the  
8 information requested, and that would be working with  
9 whom? With us or with -- how will you get the  
10 information that you're going to be describing?

11 MS. CHORNEAU: Well, we would be using our  
12 best judgment of assessment questions, the baseline kind  
13 of general questions about how would you like the  
14 Commission to engage, how would you like to see this  
15 outreach effort going, and what have you been doing on  
16 the ground thus far to describe.

17 But we would certainly be willing and  
18 hopeful that we could work with at least members of the  
19 outreach subcommittee to develop those questions in that  
20 structure and be working with Karin, is what our  
21 assumption was, but actually for this I don't know if we  
22 would need to, and coordination with staff and the  
23 commissioners that we met with from the outreach  
24 subcommittee.

25 COMMISSIONER BLANCO: And then the second task

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1 would be the outreach, correct?

2 MS. RUBIN: Exactly, the preparation and  
3 facilitation of that meeting. So when you look at the  
4 numbers for task 2, that assumes a ten-hour meeting day.

5 COMMISSIONER BLANCO: Oh, I'm not looking at  
6 cost. I'm just trying to answer the question of what  
7 goes into the prep for this meeting. So it's outreach  
8 to organizations.

9 MS. RUBIN: Yes.

10 COMMISSIONER BLANCO: This then designing the  
11 structure.

12 MS. RUBIN: Exactly. We really want to think  
13 through what all do you want to know. How might all of  
14 the presentations be set. Could we set up a template  
15 that we could share with all of the organizations, so as  
16 you listen to six, eight, fifteen presentations might  
17 there be a little bit of the structure so that they're  
18 providing you with the information in a somewhat similar  
19 way. It would be a suggestion. You can't require  
20 anyone to do it in any specific way. But that way it's  
21 back to apples and apples, and it helps you take in the  
22 information. And we hope that would help to streamline  
23 and create some efficiencies in the way the day would  
24 run so it would be nice and smooth.

25 COMMISSIONER Di GUILIO: I think this is a very

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1 good point that Commissioner Blanco brings up. And,  
2 again, it goes back to playing to the strength of each  
3 of the contractors. CCP, as you can see from what  
4 they've presented, does a really good job of structuring  
5 what needs to be done.

6 One of the key elements, again, is the  
7 content, as they had said, and that has to come from a  
8 technical aspect. With this meeting on the 26th maybe  
9 not quite as much. But, again, in order for them to  
10 know what they need to ask the participants at the  
11 statewide meeting to a big degree has to come from the  
12 technical side, and it to some degree would also be nice  
13 to have some VRA input, too, but I know we're limited.  
14 But for the February 26th meeting it's maybe not quite  
15 as critical. But I think as you move forward,  
16 particularly in the input hearings, I have no doubt that  
17 CCP could implement all of this and really coordinate it  
18 all. But the content has to come from the other  
19 consultants.

20 COMMISSIONER PARVENU: For the benefit of  
21 those who were not at the subcommittee meeting yesterday  
22 and for the audience and those viewing via web, I  
23 understand that your intention is still to use some of  
24 the contacts and resources you established during the  
25 census outreach effort.

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1 MS. CHORNEAU: Yes.

2 CHAIRMAN WARD: Commissioner Filkins Webber?

3 COMMISSIONER FILKINS WEBBER: Since the focus  
4 of the meeting would be to encourage and reach out to  
5 those particular organizations that obviously have  
6 participated in civil engagement, what's the purpose of  
7 the survey?

8 MS. RUBIN: The survey would actually be  
9 different. The idea is setting up the survey for the  
10 general public. So the reason it's two tasks is because  
11 it's two completely different things. The survey idea  
12 is you put something out so that any person -- you live  
13 in a rural area, you live in Los Angeles, anywhere cross  
14 the state. What Mr. Wilcox was saying: reaching every  
15 Californian. It provides every single Californian the  
16 opportunity to say, "Commission, here's how I'd like you  
17 to communicate with me and how I'd like you to engage  
18 when you come to my community."

19 COMMISSIONER FILKINS WEBBER: I understand  
20 that for your original proposal. I just mean for  
21 Saturday, the 26th, what's the purpose for this limited  
22 scope of work for the survey, given that we're  
23 essentially soliciting those that are well seasoned in  
24 civil engagement? So what would be the purpose for your  
25 proposal at the cost that you put on here? And

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1 obviously it's limited, \$1,704, but I don't understand  
2 the purpose yet.

3 MS. RUBIN: I'm sorry. It's late. Maybe I'm  
4 not being articulate.

5 It's two, really, separate things. What  
6 we have down as task 1 has nothing to do with the 26th.  
7 It has to do with the big picture, big package outreach,  
8 and we're basically saying you can't wait to start that  
9 assessment. And we are also thinking that on the 26th  
10 it would be really nice for you to be able to announce  
11 publicly: "Every Californian, there's a survey tool  
12 out there. We can mail it to you. You can go on the  
13 web. We want to hear what you have to say." It would  
14 provide you with that opportunity, so that you'd be  
15 ready. And the way people said earlier today you want  
16 to be moving forward, it would let you move forward with  
17 that piece.

18 MS. CHORNEAU: And by doing it in that open  
19 fashion it's not excluding anyone that maybe hasn't been  
20 engaged. So the theme is the same. It's getting  
21 information. The groups that might come and present on  
22 the 26th are groups that are already engaged, we would  
23 assume, because they're going to be reporting on what  
24 they're doing. The assessment tool, the survey tool is  
25 intended to reach anyone who would like to participate

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1 on that who may or may not have been engaged up until  
2 now.

3 MS. RUBIN: And once you've got it up, then it  
4 would be the job of your communications director to  
5 really be getting the message out every single place  
6 possible: throughout your traditional media, ethnic  
7 media, radio, TV, print, to say this survey is out  
8 there; we want to hear what you have to say.

9 COMMISSIONER FILKINS WEBBER: One follow-up  
10 question in that regard. What's the difference between  
11 the three hours that you have for this limited purpose  
12 for development of this survey versus the 30 hours that  
13 you have on your one-time fixed cost? What's the  
14 difference?

15 MS. CHORNEAU: It's taking -- it's in this  
16 budget, so we're saying --

17 Right?

18 It's the same 30 hours. It would just be  
19 incurred between now and the 26th. It's taking it right  
20 out of there. We wouldn't do it twice. We would only  
21 do it once and it just so happens that we're  
22 recommending it be done between now and the 26th, which  
23 is when we assumed you would consider the full --

24 COMMISSIONER FILKINS WEBBER: So --

25 MS. RUBIN: But we were also thinking -- I'm

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1     sorry.   Let me add on to Charlotte.

2                     So you could subtract some time from  
3     this.   But in the big picture, the one with the 30  
4     hours, the idea is over time you want to keep surveying  
5     people.   One thing Karin's talked about, for example, is  
6     having some flexible meetings held back after you come  
7     out with maps.   So say you're like, okay, we're going to  
8     do five new flexible meetings.   You might want to survey  
9     people about where those should be.   So that would be an  
10    opportunity to do a new survey.

11                    COMMISSIONER FILKINS WEBBER:   Thank you.

12                    CHAIRMAN WARD:   Mr. Miller?

13                    MR. MILLER:   Mr. Chair, if I could have leave  
14    to ask one question since time is short.

15                    Could you comment for us on the  
16    qualitative difference between the minimum approach and  
17    the option 3 approach?   What would the Commission be  
18    getting and giving up between those two, as it's about a  
19    \$500,000 spread.

20                    MS. RUBIN:   Okay.   So in the minimum approach  
21    you do one workshop.   You don't do the seven that  
22    Karin's talked about consecutively with her centers; you  
23    only do one.   But we assume you videotape it.   And then  
24    for the hearings you would do 18 hearings total, so that  
25    assumes you go to each region, if you're nine regions,

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1 one time before maps are drawn and one time after maps  
2 are drawn. And that's it. Those are the only public  
3 hearings you would hold during this whole process, one  
4 in each region before maps and one in each region after  
5 maps. We do still assume that you do six conference  
6 calls or webinars to give people an opportunity to  
7 comment.

8                   Whereas in option 3 we've got eight  
9 workshops. That's the seven Karin proposes plus one  
10 we're suggesting in the north of the state. You still  
11 videotape one educational workshop, and then you have 36  
12 hearings. So you could divide those however you want,  
13 but in that case you've got two in each region pre-map  
14 and two in each region post-map, and then still the six  
15 webinars or conference calls. So I think this is still  
16 less than what you were talking about a little earlier.

17               COMMISSIONER BLANCO: On the options that have  
18 more hearings, what -- you keep the webinar calls at the  
19 same number throughout the options.

20               MS. RUBIN: Right. You could take those off  
21 if you want. You don't have to do conference calls.

22               COMMISSIONER BLANCO: Because that -- yeah.

23               MS. RUBIN: Yes, absolutely.

24                   I guess the last thing I would add on the  
25 webinar, one reason we have those in is, from our phone

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1 interviews we really heard loud and clear from your  
2 partners on the ground that there's a lot of people out  
3 there who will not have the ability to come to  
4 something, even if it's at night or on the weekends,  
5 some people with mobility issues. There are folks who  
6 work two jobs and have three kids and it's just not  
7 realistic for them. And there's people in rural places  
8 where they just can't drive five hours or even three  
9 hours. It's cost-prohibitive and time-prohibitive for  
10 them. And the conference call, it provides the  
11 opportunity for anyone anywhere if you have a phone to  
12 at least get the information. It's not really  
13 interactive. You're really only giving information, but  
14 at least you've communicated.

15 CHAIRMAN WARD: Any further questions for CCP  
16 at this time?

17 COMMISSIONER PARVENU: Just one final  
18 question. This might be an unreasonable question to  
19 ask, but, based on your experience in conducting  
20 workshops like this, getting back to the February 26th  
21 engagement, what do you think a realistic expectation of  
22 a turnout would be? I know we have to do media. We  
23 have to do a lot of other up-front activity in terms of  
24 getting the word out. And since we'll be in Sacramento,  
25 you're based in Sacramento, your knowledge of Sacramento

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1 and that community, what would you expect at least?

2 MS. CHORNEAU: You mean for groups giving  
3 presentations or just groups in the audience?

4 COMMISSIONER PARVENU: Yes, groups giving  
5 presentations.

6 MS. RUBIN: Oh, for the 26th.

7 COMMISSIONER PARVENU: For the 26th only.

8 MS. RUBIN: It would be between 12 and 25.

9 COMMISSIONER PARVENU: That's a reasonable  
10 range.

11 MS. RUBIN: Because, you know, the California  
12 Redistricting Alliance, I think there's at least 12 or  
13 14 groups on that.

14 MS. CHORNEAU: I would say at least ten.

15 COMMISSIONER PARVENU: Thanks for the  
16 estimate.

17 COMMISSIONER AGUIRRE: I might add, as a  
18 member of the outreach committee, the discussions that  
19 we had with these individuals, Karin or Charlotte and  
20 Sarah, involved talking about philosophies, talking  
21 about approach and logistics. And ultimately what we  
22 asked them for was give us the information, especially  
23 the budget, in a format that can be easily grasped and  
24 where it would be in a menu format so we could quickly  
25 deduct some items or lessen the intensity of the process

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1 itself.

2                   So I just want to recognize Charlotte and  
3 Sarah for, I thought, doing an excellent job with this,  
4 minus the math, but that's all right.

5                   But ultimately it comes down to a basic  
6 approach and then three options, some that are, quote  
7 unquote, richer than others in terms of community civic  
8 engagement. So I thought that the format was very  
9 comprehensive and easy to understand.

10                  COMMISSIONER ONTAI: I just want to comment  
11 exactly what Commissioner Aguirre said. So Sarah and  
12 Charlotte, thank you very much. You followed through on  
13 a lot of the comments that were made at our  
14 subcommittee. So essentially you gave us a grocery list  
15 from which we can pick and choose. And this is well  
16 done.

17                  MS. RUBIN: So, given the late hour, can we  
18 make the assumption that tomorrow you will decide if you  
19 want us to give you a refined proposal and then what  
20 that will include so that we will have direction?

21                  CHAIRMAN WARD: We'll discuss that  
22 momentarily.

23                         Is there anymore questions from the  
24 Commission?

25                  COMMISSIONER YAO: Again, I want to thank you

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1 for providing us that shopping list of data. That  
2 really is very helpful, especially in light of my  
3 difficulty throughout the whole day in terms of trying  
4 to bracket the cost.

5 One thing, maybe it's unfair for me to  
6 ask you but probably should be asked of the  
7 subcommittee, is, the public talked about having some  
8 regional organizations to assist us in doing a lot of  
9 the training, so maybe one additional bit of input I  
10 would welcome is the cost for training the trainer so  
11 that we have qualified people that will be out there to  
12 basically make the same kind of presentation. Not so  
13 much for the hearing, but for the initial workshop.

14 So, again, I don't want to ask this  
15 directly because I think they should continue to work  
16 through the subcommittee, but I want the subcommittee to  
17 hear my request.

18 MS. CHORNEAU: And I can just mention briefly  
19 that -- I may not have articulated it well enough. That  
20 was the intention of the workshop model. It's something  
21 that, when you give them a toolkit, it's something that  
22 community organizers can take out and do themselves and  
23 do that kind of community organizing themselves without  
24 it in the infrastructure of a workshop. So it was  
25 something that we would have. The whole toolkit would

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1 include information, talking points, and a way to make  
2 an agenda, you know, those types of things, so they  
3 could go out and do it themselves.

4 MS. RUBIN: And I would just add, because we  
5 rushed a little bit because of the time, we skipped over  
6 that. But it wouldn't just be community organizers.  
7 The approach with the toolkit would be anyone, so that  
8 if my direct neighbor dragged me to go to that meeting  
9 I'd be like, "Oh, this is really interesting," and then  
10 I could take that and take it back to, say, my school  
11 community and try to get them organized, or whoever you  
12 want.

13 CHAIRMAN WARD: Commissioner Aguirre?

14 COMMISSIONER AGUIRRE: Yes. And I might  
15 attest to the value of this model that they just  
16 presented, given the experience of census 2010 where  
17 they in fact set up that toolkit and really went out and  
18 leveraged partners that were already out there and were  
19 interested in the census itself. And it really  
20 provided -- being a local guy in a small town, it really  
21 provided a format for individuals that didn't really  
22 know a lot about the minutia to be understood about  
23 census, understood that there was one objective, and  
24 that was to go out and register folks into the census  
25 and make sure that that vote was counted.

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1                   So I like the model. It proved itself  
2 well. One question about workshops and how many folks  
3 can you expect at these hearings, whatever, they pulled  
4 about an average of 300 individuals to reach 20  
5 workshops.

6                   CHAIRMAN WARD: At this time I'd like to thank  
7 CCP for their presentation. Thank you so much. The  
8 handouts were fantastic and we appreciate all the effort  
9 and time you put into being -- and patience with us  
10 today.

11                   So as a Commission I'd like to get a  
12 pulse. The first thing we need to know is how many  
13 commissioners are not going to be here tomorrow? Would  
14 you raise your hands, please, if you're not going to be  
15 here tomorrow.

16                   (Raise of hands.)

17                   COMMISSIONER GALAMBOS MALLOY: Commissioner  
18 Forbes is raising his hand.

19                   COMMISSIONER Di GUILIO: So have it be known  
20 that both Stan and I are off tomorrow. You can not  
21 achieve a supermajority.

22                   CHAIRMAN WARD: We still have a quorum but we  
23 won't be able to vote on anything requiring a  
24 supermajority.

25                   COMMISSIONER AGUIRRE: I'll be here in the

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1 morning but I need to leave for a commitment in the  
2 afternoon. So I should be in and out.

3 CHAIRMAN WARD: Okay. So, then, we have a few  
4 items I believe that require a supermajority vote, so  
5 those will need to be accomplished tonight.

6 COMMISSIONER ONTAI: Yes. So being that it's  
7 past 6:30, I don't think the outreach committee is  
8 prepared to go on. Ran out of gas. But I do think that  
9 first thing in the morning we should talk about the  
10 timeline and tighten this package up so that we can make  
11 these decisions.

12 CHAIRMAN WARD: What I would ask of the  
13 subcommittee is, were there action items that required a  
14 Commission vote this week?

15 COMMISSIONER ONTAI: No, there's no action  
16 items. I think Commissioner DiGuilio actually forced a  
17 number of issues that would have come up in our  
18 subcommittee meeting as well. The number of hearings,  
19 the number of hearings for the educational piece, all of  
20 these were addressed earlier. So what we want to  
21 discuss tomorrow is how that all fits in in a very tight  
22 timeline.

23 COMMISSIONER BARABBA: Do you want to go to  
24 work on the 26th? Can we authorize that? Would that be  
25 okay with the subcommittee, have them work with us?

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1                   COMMISSIONER ONTAI: Yes, actually. Yes, that  
2 would be our recommendation.

3                   COMMISSIONER AGUIRRE: So in that regard I  
4 would move that we authorize them to work on the scope  
5 of work as outlined in their proposal so that we can in  
6 fact carry out our objective of having our first hearing  
7 in Sacramento.

8                   COMMISSIONER GALAMBOS MALLOY: Point of  
9 clarification. Which proposal?

10                  COMMISSIONER AGUIRRE: The February. Is it  
11 the 26th? That proposal.

12                  COMMISSIONER BARABBA: I second that motion.

13                  CHAIRMAN WARD: Okay, we have a motion on the  
14 floor. It's been seconded. Any comment from  
15 commissioners?

16                  COMMISSIONER DAI: Just to clarify, this is  
17 the one -- this is the two-pager, just for that.

18                  CHAIRMAN WARD: Not seeing any comments, I'd  
19 like to open it up for the public to comment on the  
20 motion on the floor.

21                         Nobody approaching the microphone, we'll  
22 go ahead and take a vote. All in favor of the motion,  
23 please raise your hand and state "yes."

24                  COMMISSION MEMBERS: Yes.

25                  CHAIRMAN WARD: Any opposed?

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1 And any abstentions?

2 And motion so moved.

3 Commissioner DiGuilio, did you have any  
4 comment? Okay, I didn't know if there was anything else  
5 from technical that you knew needed to get accomplished.

6 COMMISSIONER DIGUILIO: Well, we do need to  
7 make some decisions as to how we're going to move  
8 forward with the technology consultant.

9 CHAIRMAN WARD: So this is the motion the Vice  
10 Chair made?

11 COMMISSIONER DIGUILIO: I believe we can  
12 revisit that.

13 CHAIRMAN WARD: Sounds great. Would you like  
14 to restate that motion, please?

15 COMMISSIONER GALAMBOS MALLOY: The motion that  
16 I withdrew that I will reintroduce now, which was that  
17 we contract with Q2 and CCP to get underway our  
18 educational meetings and community workshops only and  
19 that the remainder of our outreach and input strategy  
20 will go out to competitive bid.

21 COMMISSIONER DIGUILIO: And, for  
22 clarification, that does not require a sole provider  
23 contract.

24 COMMISSIONER AGUIRRE: I'll second that  
25 motion.

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1 CHAIRMAN WARD: Excellent. We have a motion.  
2 It's been seconded. Any comment from the Commission?

3 COMMISSIONER FILKINS WEBBER: Yes. One  
4 comment that was made by Ms. MacDonald earlier, even  
5 though she didn't spell it out, and the only concern  
6 that I have at this point is she did give some  
7 consideration to the possibility that this could  
8 increase our costs and expenses. So in the interest of  
9 being fiscally responsible, I am a little concerned that  
10 when we are breaking up these contracts, as much as  
11 we're enthusiastic and we really do want to proceed and  
12 I did appreciate and like what package she put together,  
13 it's something that we need to consider, whether we do  
14 want to break out these contracts.

15 She had mentioned \$3,000. I don't know  
16 if that's an accurate statement of what she would  
17 propose for the educational and input. And your motion  
18 also has now included CCP and we didn't have that  
19 previously. And, again, I don't know where the  
20 breakdown for costs would be for consideration of your  
21 motion.

22 COMMISSIONER DiGUILIO: I'm sorry. I  
23 believe -- let me just check my email. I believe Karin  
24 sent something in regards to -- did she not say it was  
25 about \$3,000 for the -- I'm sorry, maybe I should look

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1 at that first. She had some budget that was associated  
2 with meetings. I'll look.

3 COMMISSIONER DAI: I think it was \$3,000 plus  
4 expenses.

5 COMMISSIONER RAYA: I understood that to be  
6 the meetings in excess of the ones that she felt were  
7 already funded by Irvine, and that was a cost per  
8 meeting, correct.

9 COMMISSIONER Di GUI LIO: Correct.

10 COMMISSIONER FILKINS WEBBER: But based on the  
11 motion as phrased, we have the inclusion of CCP without  
12 any specification regarding their outline for -- I mean  
13 there is this large budget, so I don't know if --

14 COMMISSIONER BLANCO: I think they did submit  
15 the budget just for that hearing.

16 COMMISSIONER FILKINS WEBBER: I understand  
17 that. We've already passed that. What I'm talking  
18 about is the motion that's presently on the floor, which  
19 you had added CCP for educational workshops and the  
20 input hearings, and I don't know if that's their entire  
21 budget that they have here, which I don't think it is  
22 given that they've asked us to consider this. So I  
23 don't know if we need to -- because of the manner in  
24 which you've proposed your motion and included CCP now,  
25 it just makes it a little bit more difficult to

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1 determine cost for their aspect if everybody has  
2 clarification as to what Ms. Mac Donald had proposed for  
3 that portion.

4 COMMISSIONER GALAMBOS MALLOY: I'd like to  
5 amend my motion, taking into account that feedback, and  
6 separate out so that my motion is to enter into a  
7 contract with Q2 specifically to do the educational  
8 meetings as we decided in our regional strategy.

9 COMMISSIONER AGUIRRE: I second that motion.

10 CHAIRMAN WARD: Is that a second,  
11 Commissioner Aguirre?

12 COMMISSIONER AGUIRRE: Yes.

13 COMMISSIONER WARD: Commissioner Aguirre  
14 seconded that motion. We have an amended motion we have  
15 to consider first, and that's to contract with Q2 for  
16 the educational portion.

17 Any other comment from the Commission?

18 COMMISSIONER DAI: Yes.

19 CHAIRMAN WARD: Commissioner Dai?

20 COMMISSIONER DAI: I just want to clarify that  
21 it is a sole source contract but just for the  
22 educational portion.

23 COMMISSIONER GALAMBOS MALLOY: For the  
24 educational and for the first statewide input hearing  
25 that will be happening on the 26th of February. So the

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1 cost --

2 COMMISSIONER Di GUI LLO: This is the email that  
3 Karin had sent regarding the budget. It says:

4 Regarding a budget for the  
5 educational events, we have already  
6 budgeted for four of those through  
7 Irvine...

8 So that would leave each additional  
9 one -- so that would be, what, three to four if we do  
10 CCP.

11 ...I'm assuming two mappers and one  
12 assistant, one expert trainer for  
13 eight hours, including travel time. I  
14 guess that would come to about \$3,000  
15 in cost per educational event for the  
16 tech training workshop, and the  
17 outreach people will do the rest.

18 So three or four, yeah.

19 COMMISSIONER DAI: I have a question. So  
20 would we need mappers at this February 26 event?

21 COMMISSIONER BLANCO: No.

22 COMMISSIONER Di GUI LLO: I'm assuming it would  
23 reduce those expenses, though I would be curious to talk  
24 to Karin as to why she thought we may have a need for  
25 mappers.

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1                   COMMISSIONER YAO: Question. If Karin has the  
2 first three, four meetings covered by the Irvine  
3 Foundation, what is the rush for us to approve the  
4 balance of the meeting tonight?

5                   COMMISSIONER BARABBA: One of the things we  
6 heard today was we needed to finalize what it is in the  
7 way of technical input that we want to talk about and  
8 get information on. And that's what's been prepared,  
9 and we have to access that resource. And I don't think  
10 we're talking about that much money. But this, again,  
11 is something's we've got to move on because otherwise  
12 we're going to delay everything one more time.

13                  COMMISSIONER YAO: No. Again, I'm asking for  
14 clarification. She quoted about \$3,000 per meeting, and  
15 since the Irvine Foundation has funded the first four  
16 meetings, or approximately half the meeting, so I need  
17 to understand as to what is it that we're trying to  
18 accomplish with this motion, making a decision right at  
19 this point in time. Is it that without our commitment  
20 for the balance of the meeting she can't hold the first  
21 three, four meetings?

22                   I'm not against it. I'm just trying to  
23 understand as to what is it that we're trying to decide.

24                  COMMISSIONER BLANCO: I think I understand,  
25 just because I know a little bit about the Irvine

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1 process and the centers. These meetings at the centers  
2 that have been set up are not going to be our meetings.  
3 They have these centers. They're going to be doing  
4 ongoing -- scheduling trainings for people to come to  
5 those community centers at different times, et cetera.

6 So I'm not sure that -- and I'm not sure  
7 why she stated it like that, because my understanding is  
8 this would be our educational meeting, not the ones that  
9 the groups are putting together with money from Irvine  
10 that they've got a budget and a space for. So I am  
11 confused about that language. But my understanding is  
12 that these are our educational meetings held, sponsored  
13 by the Citizens Redistricting Commission and not the  
14 ones that she's doing with other groups.

15 COMMISSIONER GALAMBOS MALLOY: And my  
16 understanding of how she was thinking about it was that  
17 they were an expansion, that we'd be essentially getting  
18 a two for one, that it would include and be able to  
19 maximize some of the resources from the  
20 Irvine Foundation, but that it would be a  
21 redistricting -- an official event that we would be  
22 putting on.

23 COMMISSIONER AGUIRRE: And what I gathered  
24 from her comments also is that these centers are  
25 relatively small and so certainly not the type of

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1 workshops that we would like to have, which would be --  
2 have broader public participation. Also, I think what  
3 we're approving is the opportunity for her to  
4 collaborate with CCP in structuring the educational  
5 workshops and really trying to assure that they run  
6 smoothly and that they will in fact lead into some  
7 requirements of map-drawing information that, whatever  
8 consultant comes along and we hire, that that  
9 information will be workable and acceptable.

10 COMMISSIONER YAO: If that's the message, can  
11 you clarify the motion so it reflects exactly what  
12 Commissioner Aguirre has said?

13 CHAIRMAN WARD: Perhaps if we have an amended  
14 motion? Can we get that one back?

15 MS. SARGIS: The motion is to enter into a  
16 sole source contract with Q2 to get the workshop to  
17 begin working on the educational meetings and workshops  
18 only. And I believe you added also the first statewide  
19 hearing on the 26th, and that the remainder of the work  
20 would go out to bid.

21 COMMISSIONER GALAMBOS MALLOY: I believe maybe  
22 we should add a clause there around "in collaboration  
23 with CCP" so that's clear that this is our team that  
24 will be moving forth the educational and the first  
25 statewide input meeting.

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1 Does that answer your question,  
2 Commissioner Yao?

3 COMMISSIONER YAO: I believe so. But if we  
4 spell out CCP and we don't have anything going with CCP  
5 under any other contracts, that's probably problematic.  
6 But if it's just change it to "with vendors," then I  
7 think that will be very clean.

8 COMMISSIONER GALAMBOS MALLOY: Okay. That's  
9 the amendment I would like to make. So same amendment  
10 but instead of saying "with CCP," "with other vendors as  
11 specified."

12 COMMISSIONER AGUIRRE: And I would accept that  
13 amendment.

14 CHAIRMAN WARD: Okay. At this point we have a  
15 motion as just stated and seconded, and I'd like to open  
16 this up to the public for comment.

17 Is there anybody from the public that  
18 would like to comment on this specific motion?

19 AUDIENCE MEMBER: Douglas Johnson from the  
20 Rose Institute. First, I want to say thank you for  
21 opening this up. I welcome the opportunity to talk with  
22 you more about this through this bid process.

23 And I do want to reinforce that I have,  
24 despite the controversy today, I have a great deal of  
25 respect for Karin MacDonald at Q2, and her senior

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1 business partner there is one of the smartest guys in  
2 redistricting, Bruce Cain, who is her business partner  
3 at Q2. So I look forward to the opportunity to talk to  
4 you more and hopefully to work with her more on this as  
5 well.

6 Thank you very much.

7 CHAIRMAN WARD: Thank you. Seeing no further  
8 public comment approaching the microphone, bring it back  
9 to the Commission. Any last comments?

10 COMMISSIONER ONTAI: I have one last comment,  
11 and that is tomorrow if somebody could lower the  
12 temperature down. I'm freezing.

13 COMMISSIONER YAO: I apologize for that. I  
14 think, based on the experience yesterday, I made a  
15 request earlier that they change the temperature. So my  
16 fault.

17 CHAIRMAN WARD: All right. At this point I'd  
18 like to take a vote on the motion on the floor. If  
19 you're in favor please raise your hand and say "yes."

20 COMMISSION MEMBERS: Yes.

21 CHAIRMAN WARD: All opposed?

22 Any abstentions?

23 Thank you.

24 Is there a final technical --

25 COMMISSIONER BLANCO: I'm sorry, I wasn't

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1 going to vote on contracts that involved Q2. Sorry. I  
2 had stated that I would recuse myself.

3 CHAIRMAN WARD: Very well. If the record  
4 could show one abstention from Commissioner Blanco.

5 I believe -- is there one last technical  
6 committee issue? Was there a vote or anything that  
7 needed to be discussed on RFP?

8 COMMISSIONER Di GUI LIO: I guess that's a good  
9 point. Does the Commission want to authorize an RFP for  
10 the remainder of the technical issues as they relate to  
11 the public input hearings?

12 COMMISSIONER GALAMBOS MALLOY: And correct me  
13 if I'm wrong, but we did not enter into any agreements  
14 around bringing CCP on for the educational meetings. We  
15 only entered into a contract with them to work on the  
16 meeting on the 26th.

17 COMMISSIONER Di GUI LIO: There may be two  
18 issues here, too. If we're giving a bid to a technology  
19 consultant for the educational component, should we do  
20 the same, then, for CCP? Am I confusing the issue?

21 COMMISSIONER BARABBA: I believe CCP is a  
22 State organization, correct?

23 COMMISSIONER GALAMBOS MALLOY: It's  
24 interagency.

25 COMMISSIONER BARABBA: Interagency agreement

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1 we worked out with them?

2 MR. CLAYPOOL: Yes. They're with CSU  
3 Sacramento, so they're a State --

4 COMMISSIONER DiGUILO: So we could have staff  
5 to say for them to work together with Karin on -- again,  
6 taking in the collaborative nature of this process, to  
7 work together for the actual educational outreach  
8 meetings. So it goes back to the issue of the input,  
9 the public input hearings, which will need a technology  
10 consultant. If we don't want a sole source we need to  
11 do an RFP for that; is that correct?

12 COMMISSIONER BARABBA: -- (inaudible) --

13 CHAIRMAN WARD: Yes.

14 COMMISSIONER DiGUILO: We'll have staff go  
15 ahead and do the RFP for the technology consultants for  
16 the public input hearings and the map drawing.

17 COMMISSIONER BLANCO: And is that to come to  
18 us by the next meeting? Is that what we talked about --

19 CHAIRMAN WARD: That was in response to RFP,  
20 correct?

21 COMMISSIONER BLANCO: Yes.

22 CHAIRMAN WARD: Is that the sense of the  
23 Commission at this point?

24 COMMISSIONER BLANCO: That's what I'm trying  
25 to figure out. I'm trying to clarify that we will have

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1 something reported back to us by the next --

2 COMMISSIONER GALAMBOS MALLOY: I believe the  
3 part of my motion which was voted on was that -- the  
4 second part was that the remainder of the outreach  
5 strategy was going to go out to competitive bid. So  
6 then the question is timing, how we will handle that  
7 bid, not whether it will go out to bid.

8 MR. CLAYPOOL: Right. And so, as I understood  
9 it, when we separated these two out it was to give some  
10 length on the other end. So the only thing that will be  
11 involved in this is we will have to put a place number,  
12 kind of holding a spot in the budget and saying that, as  
13 Chairman Yao had discussed, it will not exceed this  
14 amount, without knowing the amount that is the final bid  
15 from the bidder. Because we have to get this budget in  
16 front of the -- to finance and in front of the  
17 legislature for their approval. So that's the nuance.  
18 That's the nuance.

19 So your answer also is, could we be in a  
20 position to make a presentation at the Sacramento?  
21 Possibly. I'm hoping we can. But that was one of the  
22 reasons why when it seemed like we were accelerating it  
23 I'd asked that we have that second meeting in  
24 conjunction with the legal committee as, if we need it,  
25 the Commission could meet in full Commission as a full

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1 body at that point to look at it, if for some reason we  
2 couldn't make the presentation by the Sacramento  
3 meeting.

4 COMMISSIONER BLANCO: So we would have to have  
5 that meeting noticed with that item on the agenda for  
6 the 4th if we tagged it onto the legal committee  
7 meeting.

8 MR. CLAYPOOL: Correct. And so -- and we can  
9 do -- for that particular meeting we can do it the same  
10 way we've done many of our meetings. We can say that we  
11 will have the legal committee, will be meeting,  
12 subcommittee, but the full Commission may meet if it's  
13 necessary to address this issue.

14 COMMISSIONER Di GIULIO: So could you maybe  
15 clarify, then? So we will go out to RFP for this aspect  
16 and the responses will be reviewed by the legal  
17 committee? No, I'm sorry.

18 MR. CLAYPOOL: So the process will be that we  
19 will go through the finance and technical committee to  
20 review our scope of work, and we'll put the scope of  
21 work together. And they'll comment on that after it's  
22 gone through our chief counsel. Then we will let that  
23 proposal, request that the proposals come to us. When  
24 they're returned we'll compare them and try to make a  
25 presentation out of what we've received. And then that

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1 is what we would present to the Commission as this is  
2 what it looks like; this is what the bids look like.  
3 And then you would have to make a decision from that  
4 information.

5 COMMISSIONER DAI: Just for clarification,  
6 Mr. Claypool, because that sounds a little different  
7 than what I had asked before, which was we had discussed  
8 putting an RFP out in two to three days using the  
9 information that Ms. MacDonald has already prepared,  
10 and in parallel asking for a shorter contract, you know,  
11 bidding period, fewer than ten days, with the hope that  
12 sometime in our currently noticed meeting, February 23rd  
13 to 27th, that we might actually have responses and be  
14 able to look at them. That was my understanding. I was  
15 a little confused because what you just said is that we  
16 might need this other meeting to review the scope of  
17 work. I just want clarification on that.

18 MR. CLAYPOOL: The clarification -- and I  
19 apologize. It's late for all of us. The scope of work  
20 is what we're going to put together first, starting  
21 tomorrow, in the next couple days, and we'll take it  
22 past our chief counsel. And then we would give it to  
23 the technical committee and to the finance committee to  
24 just review, whoever is designated, make your edits, are  
25 there things that need to be added. Then we'll send

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1 that out to get the proposals. When the proposal is  
2 returned, then it would be staff responsibility to take  
3 them and give you some type of presentation in full  
4 committee so that you can make the comparison and make  
5 your decisions.

6 COMMISSIONER DAI: And so, then, the request  
7 for this additional meeting is just in case we run out  
8 of time on Sunday, the 27th, and we don't get to that  
9 item, that we would have the ability to immediately meet  
10 the following week and make a decision on that.

11 MR. CLAYPOOL: Exactly.

12 CHAIRMAN WARD: At this point does staff have  
13 enough information to be directed to get that RFP out  
14 and that process moving?

15 MR. CLAYPOOL: Yes.

16 CHAIRMAN WARD: Okay, thank you.

17 MR. CLAYPOOL: We're actually started on it.

18 CHAIRMAN WARD: Excellent.

19 MR. CLAYPOOL: We have one other issue, if I  
20 might, and I don't know if this is the appropriate time,  
21 but I do have the salary schedule that we would need to  
22 elevate to as far as the human relations specialist is  
23 concerned.

24 CHAIRMAN WARD: That would be great.

25 COMMISSIONER DAI: The budget officer, right?

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1                   MR. CLAYPOOL: For the budget officer. We had  
2 let the salary range at \$4424 to \$5,359, and we, in  
3 their opinion, would have to increase it to \$6,173 to  
4 \$6,800 per month in order to find an appropriate  
5 candidate.

6                   And then the second bit of information  
7 that I'd shared with both the Chair and the Vice Chair  
8 is that Fred Radcliffe with the Secretary of State's  
9 human resources department had suggested that we might  
10 be able to get three retired annuitants who would be  
11 willing to share this position. One of them is a  
12 contract specialist, one of them is a budget specialist,  
13 and one of them is a specialist for presentations to the  
14 legislature. These three people are all willing to  
15 share the position and just come on and come off as we  
16 need them. So we're working on that as well. And the  
17 advantage to that is the budget specialist would already  
18 have the required designations to do our contract.

19                   So we will either get one person or we  
20 will get this hydra, but we'll have a solution.

21                   COMMISSIONER DAI: So question: Do we have a  
22 motion on the floor still?

23                   CHAIRMAN WARD: I'm not aware of one that's  
24 lingering.

25                   COMMISSIONER ANCHETA: We tabled it. It's now

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1 open for vote, I think.

2 CHAIRMAN WARD: No, there's no open motion  
3 that I'm aware of on the floor.

4 Janeece, can you verify that?

5 COMMISSIONER Di GUI LI O: I think we just asked  
6 staff to do the RFP.

7 CHAIRMAN WARD: Staff was directed --  
8 (inaudible).

9 COMMISSIONER YAO: I think that's incorrect.  
10 I think where we left off was we couldn't make a  
11 decision as to whether we would approve it or not, and I  
12 think it was motioned at that point to table it until we  
13 get the actual number. And now we need to either  
14 approve it or disapprove it.

15 CHAIRMAN WARD: We'll need that motion read  
16 back.

17 MS. SARGIS: This is all happening on the day  
18 I forgot my glasses.

19 Commissioner Yao, let's see. I don't  
20 have record of a second but I believe that there was a  
21 motion made by Commissioner Yao to give the executive  
22 director authority to increase the salary range for the  
23 budget officer and continue with the hiring process.  
24 Excuse me, Commissioner Aguirre seconded. And then  
25 Commissioner Ancheta made a motion to table it until the

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1 range was available.

2 COMMISSIONER DAI: May I amend  
3 Commissioner Yao's motion to add the new -- to increase  
4 it to the new level that Mr. Claypool has --

5 COMMISSIONER YAO: I'll be happy to second  
6 that motion.

7 CHAIRMAN WARD: Excellent. So we have a  
8 motion on the floor and seconded. Any comment?

9 Open it up to the public? Any public  
10 comments regarding the specific motion on the floor?  
11 Very good.

12 All in favor of the motion on the floor,  
13 please raise your hand and say "yes."

14 COMMISSION MEMBERS: Yes.

15 CHAIRMAN WARD: All those opposed?

16 And abstentions? None noticed.

17 Any remaining issues from the Commission  
18 or staff?

19 COMMISSIONER BLANCO: Move to adjourn.

20 COMMISSIONER DAI: Wait. I have a question.  
21 Do we need a motion to hire CCP? I'm still not clear on  
22 that. Because all we have approved so far is we have  
23 hired them for the 26th, and it seems to me that,  
24 regardless of the fact that it's an interagency  
25 agreement, it's still staffing. It's a consultant,

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1 right? We still, I believe, need to have a  
2 supermajority vote on this.

3 CHAIRMAN WARD: Commissioner Aguirre?

4 COMMISSIONER AGUIRRE: Yes, my understanding  
5 as they finished their presentation was that they expect  
6 to provide a refined budget for us to support their  
7 proposal and that we would be considering that tomorrow.

8 COMMISSIONER DIGUILIO: But if you consider it  
9 tomorrow you won't have enough people to take a vote.  
10 So maybe the suggestion is, based on those initial  
11 numbers, knowing that they'll refine those numbers,  
12 maybe a calculation, could we look at it, then, based on  
13 those?

14 COMMISSIONER AGUIRRE: As a member of the  
15 outreach committee, I felt that, and my previous  
16 comments, that I'm impressed with the scope of work,  
17 their level of organization, their background and  
18 expertise, and I feel comfortable in making a motion to  
19 contract with them, an interagency agreement.

20 COMMISSIONER BARABBA: I second it.

21 CHAIRMAN WARD: Mr. Claypool?

22 MR. CLAYPOOL: We simply need clarification as  
23 to what level we're hiring them at.

24 CHAIRMAN WARD: Commissioner Blanco?

25 COMMISSIONER BLANCO: So tomorrow we will go

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1 back and look at the --

2 CHAIRMAN WARD: Correct, the rest of the  
3 subcommittee briefing.

4 COMMISSIONER BLANCO: My concern is I was very  
5 impressed with them as well. I'm all for this. I'm not  
6 sure that I would want everything, even in their minimal  
7 packet. You know, there are some things that I think we  
8 should discuss what's really within our budget and what  
9 do we really need to do our job, you know, just things  
10 like that. And I just want to make sure that we discuss  
11 that fully in spite of the fact that we're going to  
12 contract with them.

13 CHAIRMAN WARD: Commissioner Raya?

14 COMMISSIONER RAYA: We should also note that  
15 they did ask for more direction from us so that they  
16 could make those amendments.

17 COMMISSIONER Di GIULIO: And I think that if we  
18 start to allow them to have conversations with the other  
19 contractors, that might help them a little bit more,  
20 too, I would imagine.

21 COMMISSIONER DAI: So I wonder -- I mean it  
22 sounds like this needs more discussion, as they said  
23 they need more parameters from us. And they've given us  
24 the menu; we haven't told them what we wanted. I think  
25 there's a general consensus that, you know, it makes

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1 sense to work with them.

2 My question, I guess, to the outreach and  
3 technical committees, given that we've already approved  
4 to go ahead and work with them on the 26th, is that  
5 enough? Do you need a supermajority vote on anything  
6 else? I mean my feeling is that the outreach committee  
7 can continue to work with them to refine the proposal  
8 and bring us a final version by the next meeting. That  
9 seems like a way to go.

10 CHAIRMAN WARD: Does Mr. Claypool have a  
11 clarification on that as well?

12 MR. CLAYPOOL: No. And actually  
13 Commissioner Dai has put it correctly. I think that  
14 what they're expecting is this clarification with the  
15 subcommittees and to bring a final product to the table  
16 for the next meeting, because that was the whole idea  
17 behind putting together the final budget and then having  
18 the numbers we needed to move forward.

19 COMMISSIONER ONTAI: And that's our  
20 expectation also. I think that's what they believed  
21 they were going to do. I just wanted to vote forward  
22 because I think it's a time issue tomorrow. We want to  
23 try to get them on board as soon as possible. But it is  
24 their desire to look at it and get some feedback and  
25 then present it to us at a later time.

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1                   COMMISSIONER AGUIRRE: So I'll withdraw my  
2 motion.

3                   CHAIRMAN WARD: Thank you.

4                   Any further business items that require a  
5 majority vote that you would like to take up at this  
6 time?

7                   Seeing nothing, anything from staff?  
8 Closing comments?

9                   MR. CLAYPOOL: I'm all for going home.

10                  CHAIRMAN WARD: For closing, okay.

11                  I'd just like to thank the Commission  
12 very briefly. You guys are amazing, very deliberative,  
13 insightful. And, as long as it's been, I think you all  
14 need to be commended on the amazing work that you've  
15 accomplished on this long day. We'll see you tomorrow  
16 at 9:00 a.m.

17                  We would like to open it for public  
18 comment. My mistake.

19                  AUDIENCE MEMBER: Just very briefly, a piece  
20 of redistricting trivia. Today is the 199th anniversary  
21 of Elbridge Gerry signing into place the original  
22 gerrymander. I look forward to a year from now when you  
23 all have killed the gerrymander in California.

24                  CHAIRMAN WARD: Very good. Thank you.

25                  Meeting adjourned.

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1 (Full Commission meeting adjourned  
2 at 7:10 p.m.)

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1 STATE OF CALIFORNIA )  
2 COUNTY OF LOS ANGELES )ss

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4

5 I, SUSAN M. PATTERSON, CSR No. 2448, Certified  
6 Shorthand Reporter, certify:

7 That the foregoing proceedings were taken before me  
8 at the time and place therein set forth;

9 That the proceedings were recorded stenographically  
10 by me and were thereafter transcribed;

11 That the foregoing is a true and correct transcript  
12 of my shorthand notes so taken.

13 I declare under penalty of perjury under the laws  
14 of California that the foregoing is true and correct.

15 Dated this 24th day of February, 2011.

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SUSAN M. PATTERSON, C. S. R. NO. 2448

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